



Addendum to Planning Proposal

(post-request for Gateway Determination)

Reference

LEP18/0012

APPLICATION DETAILS

Application No.: LEP18/0012
Date of Lodgement: 12/09/2018
Applicant: Kim Kennedy And Associates
Proposal: Planning Proposal to amend the Wagga Wagga Local Environmental Plan 2010 by changing R5 – Large Lot Residential, E2 – Environmental Conservation and RU1 – Primary Production zone boundaries at Lot 1 DP 605970 and introducing a 200 Ha minimum lot size across the whole of Lot 1 DP 605970.
Assessment Officer: Adam Wood
Referrals: Standard internal referral
Recommendation Endorse for Gateway Determination

SITE DETAILS

Subject Land: Lot 1 DP 605970 (7307 Holbrook Rd, Lloyd 2650)
Owner: Susan Forster

DESCRIPTION OF DEVELOPMENT

Council is in receipt of a planning proposal by Kim Kennedy and Associates affecting Lot 1 DP 605970 (7307 Holbrook Road, Lloyd).

This addendum provides additional information to that considered by Council at its meeting of 27 May 2019 and forwarded to the Department of Planning and Environment on 6 June 2019. It should be read in conjunction with materials already provided in Council's request for Gateway Determination dated 6 June 2019.

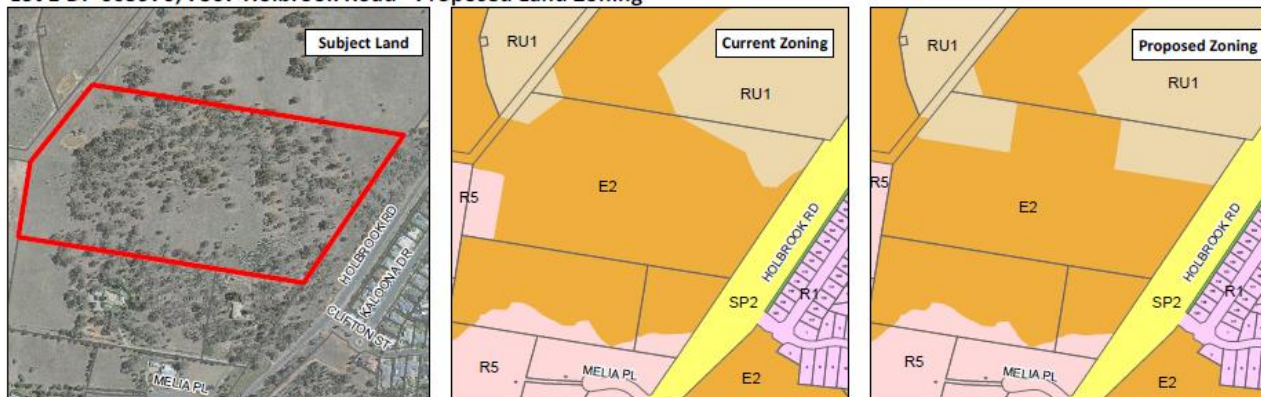
The planning proposal does not alter development entitlement attached to the site but adjusts planning controls applying to the lands to allow for improved development outcomes arising from existing entitlements. It seeks to achieve this by allocating land use zones to areas of Lot 1 DP 605970 to enable permissible residential development to be properly located whilst retaining protection of environmental assets on the land. Two boundaries between the RU1 – Primary Production zone and E2 – Environmental Conservation zone will be adjusted to achieve this.

The planning proposal also removes inappropriate planning controls from a portion of the subject land. This aspect of the planning proposal concerns the south-western most extent of the land. This portion of Lot 1 DP 605970 is currently zoned R5 – Large Lot Residential and provides for a 2 Ha

(20000m²) minimum lot size requirement. This land will revert to the E2 – Environmental Conservation Zone and a 200 Ha minimum lot size requirement.

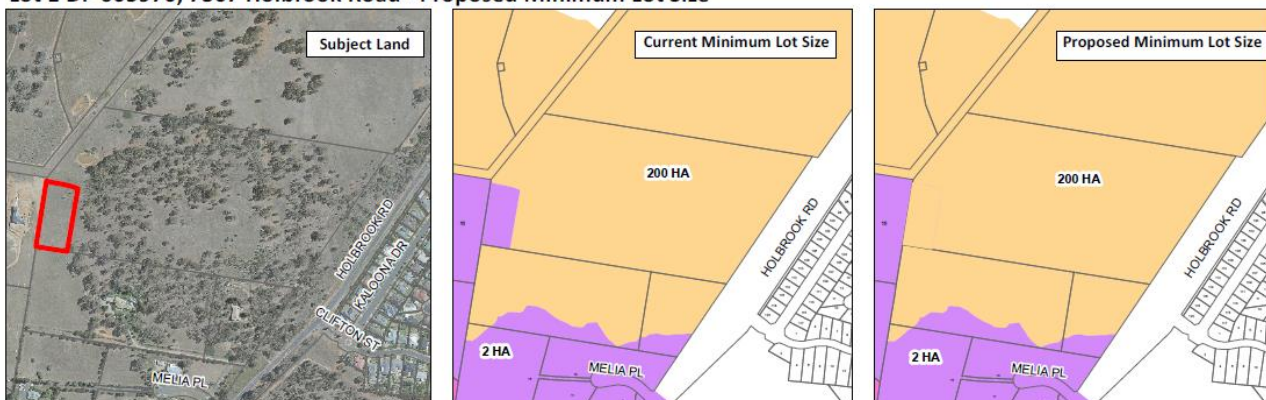
The planning proposal amends the land zoning maps of the Wagga Wagga Local Environmental Plan. An area of R5 – Large Lot Residential zone to Lot 1 DP 605970 is to be replaced by E2 – Environmental Conservation zone. Additionally, the boundaries between RU1 – Primary Production and E2 – Environmental Conservation zones are to be adjusted. This is illustrated in the figure below.

Lot 1 DP 605970, 7307 Holbrook Road - Proposed Land Zoning



The planning proposal also seeks to alter the minimum lot size map applying to a portion of Lot 1 DP 605970. The same portion of Lot 1 DP 605970 zoned R5 – Large Lot Residential has an applicable minimum lot size of 2 hectares. This will be removed in favour of a 200 hectare minimum lot size to apply across the whole of Lot 1 DP 605970. This is illustrated in the figure below.

Lot 1 DP 605970, 7307 Holbrook Road - Proposed Minimum Lot Size



Access to the subject lands is possible via both the Holbrook Road and Ross Smith Road reserves which directly adjoin Lot 1 DP 605970. Works and approvals will be required to make any such access practical. It is anticipated that improved access will be required for any future development that may be pursued on the subject lands.

THE SITE AND LOCATION

The subject land is located within the south of the Wagga Wagga urban area, at the southern extent of the Lloyd locality adjoining Holbrook Road. The subject land is located roughly 200m to the south of the Lloyd Urban Release Area in a location characterised by significant environmental assets, principally Box Gum Woodland (an Endangered Ecological Community).

The subject land is within multiple land use zones. These are the R5 – Large Lot Residential, E2 – Environmental Conservation and RU1 – Primary Production zone. The subject land is bounded by various land use zones also. Further areas of E2 – Environmental Conservation zone exist to the

northern, western and southern boundaries of the subject land. Areas of RU1 – Primary Production zone exist to the north-west and north-east of the subject land. R5 – Large Lot Residential zoned land exists to the south-east. To the east of the subject land is Holbrook Road which sits within SP2 – Infrastructure zone.

PART 3 JUSTIFICATION

Section 9.1 Directions – Direction 1.5 Rural Lands

This direction is applicable as the planning proposal affects land within existing or proposed rural or environmental protection zones. The planning proposal alters the boundaries of rural and environmental protection zones. The planning proposal is subject to considerations listed at Point 4 of Direction 1.5 as a result. The consistency of the planning proposal with Direction 1.5 is detailed in in this section. It is found that the planning proposal upholds the requirements of Direction 1.5.

The planning proposal does not alter the minimum lot size applying to lands presently within rural or environmental protection zones. This occurs only in lands being removed from the adjoining R5 – Large Lot Residential zone. The planning proposal is not subject to considerations under Point 5 of Direction 1.5 as a result.

The planning proposal upholds the directions of applicable regional strategies. The planning proposal is consistent with the Riverina Murray Regional Plan 2036, upholding Directions 15, 25, 26 and 27. Council's assessment of the planning proposal against the Regional Plan is detailed in the relevant section of assessment document.

The planning proposal will allow for the continuation of small scale rural pursuits on a portion of the lot. This gives consideration to agricultural activities as required by the direction, albeit on a limited basis. Further, the planning proposal has negligible impact upon the right to farm as it applies to the subject land. The planning proposal does not contribute to further fragmentation of rural land or increase the likelihood of land use conflict. The planning proposal creates a clear demarcation and separation between those parts of the subject land that are retained as environmental assets and those where small scale rural and residential uses may take place. The allocation of land zoning is also appropriate with respect to the distribution of topographical constraints to the subject lands.

The planning proposal has implications for environmentally zoned lands containing known environmental assets, principally Box-Gum Woodland. The planning proposal has been subject to the consideration of the Office of Environment and Heritage prior to its submission to Council. OEH has noted the retention of the bulk of the Box-Gum Woodland within the E2 – Environmental Protection zone as a result of the planning proposal. OEH noted that this was satisfactory, but that lands should be subject to a plan of management to further ensure retention of the environmental assets. While deemed not relevant to the current planning proposal process, a plan of management or equivalent can be considered as a part of any future development application for the site to ensure the ongoing maintenance of these environmental assets.

State Environmental Planning Policy (Rural Lands)

The planning proposal submitted by the applicant contains an assessment against State Environmental Planning Policy (Rural Lands). SEPP (Rural Lands) has been repealed. The assessment of the planning proposal against the former SEPP (Rural Lands) is now redundant.

PART 6 PROJECT TIMEFRAME

Community consultation will be undertaken in accordance with the requirements of any Gateway Determination that is granted.

Consultation will also occur in accordance with Council policy as well as the Gateway determination. Council policy requires a public exhibition period of 28 days and a concurrent 42 day period for making of submissions (commencing on the same date as exhibition).

PART 6 PROJECT TIMEFRAME

TASK	Anticipated timeframe
Anticipated date of Gateway Determination	August 2019
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation	September 2019
Commencement and completion dates for public exhibition.	October 2019 – November 2019
Dates for public hearing	N/A
Timeframe for consideration of submissions	December 2019
Timeframe for the consideration of a proposal post exhibition	March 2019
Date of submission to the Department to finalise the LEP	April 2019
Anticipated date RPA will make the plan	May 2019
Anticipated date RPA will forward to the Department for notification	June 2019

APPENDIX

Mapped location of eucalypt vegetation (in yellow) at Lot 1 DP 605970 (in red).

