

**RP-2 LEP20/0002 - RIVER ROAD / OLD NARRANDERA ROAD -
AMENDMENT TO LAND ZONING, MINIMUM LOT SIZE AND URBAN
RELEASE AREA OF THE WAGGA WAGGA LOCAL
ENVIRONMENTAL PLAN 2010**

20/283 RESOLVED:

On the Motion of Councillors K Pascoe and T Koschel

That Council:

- a support planning proposal LEP20/0002 to amend the Wagga Wagga Local Environmental Plan 2010 land zoning, minimum lot size and urban release area**
- b 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-2 LEP20/0002 - RIVER ROAD / OLD NARRANDERA ROAD -
AMENDMENT TO LAND ZONING, MINIMUM LOT SIZE AND URBAN
RELEASE AREA OF THE WAGGA WAGGA LOCAL
ENVIRONMENTAL PLAN 2010**

Author: Crystal Atkinson

Director: Michael Keys

Summary:

Council is in receipt of a planning proposal to rezone land from RU1 Primary Production to R1 General Residential and B2 Local Centre, remove minimum lot size provisions and introduce a urban release area for land on River Road and Old Narrandera Road, Gobbagomalin.

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

Recommendation

That Council:

- a support planning proposal LEP20/0002 to amend the Wagga Wagga Local Environmental Plan 2010 land zoning, minimum lot size and urban release area
- b 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

Submitted planning proposal:

Council is in receipt of a planning proposal (LEP20/0002) to rezone land at 9 River Road and 17 River Road, Gobbagomalin from RU1 Primary Production to R1 General Residential and B2 Local Centre, remove minimum lot size provisions for the rezoned areas and introduce an urban release area.

Applicant:

Salvestro Planning

Land Owners:

Refer to confidential attachment

Proposal

Council is in receipt of a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 (WWLEP) to:

1. Rezone land from RU1 Primary Production to R1 General Residential
2. Remove minimum lot size provisions
3. Introduce Urban Release Area
4. Incorporate provisions for a neighbourhood centre B2 Local Centre

The purpose of the planning proposal is to provide an additional urban release area within the city to accommodate growth. The area is a direct extension of the existing northern growth area of Estella, Boorooma and Gobbagombalin. The site is currently zoned and used for agricultural purposes.

The proposal area is approximately 60 hectares and will create an opportunity for up to 750 additional residential lots supported by recreation and commercial opportunities.

The proposed changes will be achieved by amending the land zoning, minimum lot size and urban release area maps to reflect the outcomes shown in figure 1.



Figure 1 – Indicative Master Plan

The aim of the planning proposal is to create an additional residential area immediately south of the existing northern suburbs supported by a local centre providing daily conveniences.

Site and Locality

The site is located south of Old Narrandera Road and is a direct extension of the existing northern growth areas. The site is a logical southern extension of the northern growth area with access to infrastructure. The site's location is shown in Figure 2.

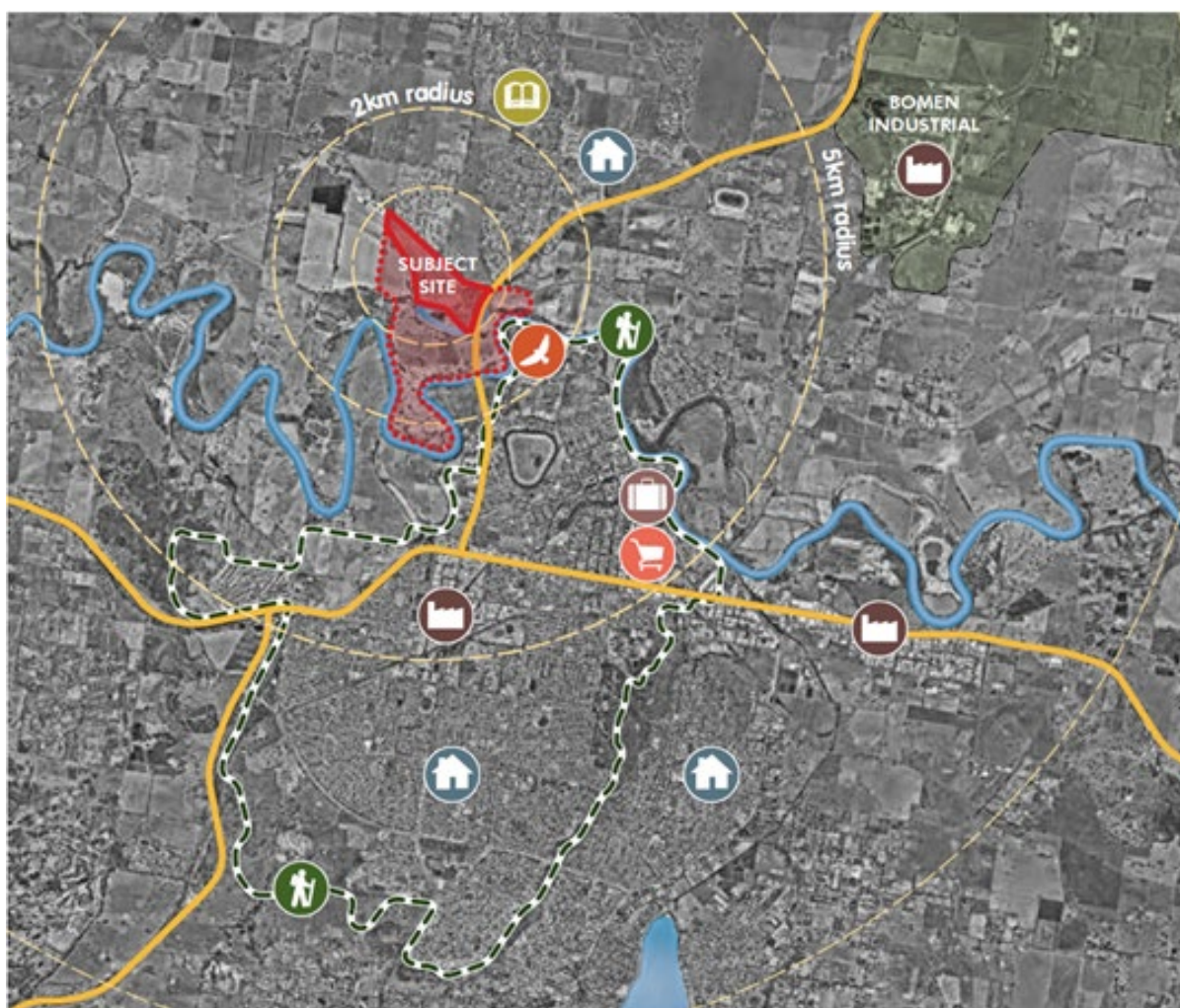


Figure 2 – Site location

Key Considerations

The planning proposal has been assessed against Council's strategies, policies and guidelines, the NSW Department of Planning, Infrastructure and Environment's *Guideline for preparing planning proposals* and the Ministerial Directions. The key considerations are identified below:

1. Council's vision or strategic intent:

The subject land is identified within Council's endorsed Wagga Wagga Spatial Plan 2013 – 2043. The site will contribute to land supply within an area that has existing capacity and connections for services. The plan identifies the city develops around 360 residential lots per year and had a potential supply of 5,400 lots at the time of developing the Spatial Plan. These figures indicate supply will have depleted to a 9-year supply in 2020.

Development of this site will potentially contribute an additional 2 years of housing supply with 750 lots proposed. In conjunction with other existing and proposed development across the City, this site will help meet the ongoing demand and growth of the City.

2. Character analysis:

The area is currently zoned and used for agricultural purposes. The land is located immediately south of the existing northern growth areas and is a logical extension

for urban development. The area is located within proximity to the proposed Active Travel Plan and has access and views of the Gobba Lagoon and Murrumbidgee River.

This site is a unique location with high amenity within proximity to the Murrumbidgee River. The site will enable additional opportunities for public access to the river with a recreation space proposed on the river front.

3. Infrastructure:

The subject land is in proximity to existing services with opportunities to connect to existing infrastructure and in some instances, upgrades are required.

As a new urban release area, as part of development, the land owner/developer will be responsible for extending and upgrading infrastructure to enable development to occur.

An internal infrastructure report has been prepared to inform site-specific DCP controls to address site specific requirements such as stormwater management and embellishment and treatment of creek corridor (attachment 10). A planning repose has been provided within the infrastructure report.

There is a transmission gas pipeline located within a 16-metre wide easement that dissects the area proposed to be rezoned. The easement is managed by APA with specific requirements set for the easement. The zoning and treatment of this easement is a key consideration for the ongoing safety and maintenance of the pipe and corridor. It is proposed to zone this corridor SP1 Infrastructure in consultation with APA. Site-specific development controls and a Plan of Management will provide the mechanism for identifying specific APA requirements.

Outside of the pipe corridor is a 450m buffer where sensitive uses will be restricted. Sensitive uses include child care centres and aged care facilities. These restrictions will be included within site-specific controls in the DCP.

The zoning of the Gas pipeline corridor will be amended prior to sending to for gateway determination.

4. Biodiversity / Creek Corridor:

As the subject land is partially flood prone, only part of the land is being proposed for urban development. The residue land to the south that is an established lagoon and the residue land to the west containing a natural creek corridor present an opportunity for land to be established as a 'stewardship site' under the Biodiversity Conservation Act.

Stewardship sites can be either public or privately owned and can benefit the community by enhancing and providing improved biodiversity within the local area.

The creek corridor will become stormwater infrastructure and will be required to be in public ownership for maintenance and access. This corridor is recommended to also act as a passive open space corridor to provide separation between residential and the remaining rural land and to ensure frontage of residential development to this space.

5. Local centre:

The proposal intends to rezone land on the river front for commercial purposes. The proposed B2 Local Centre zone is intended to provide a range of retail, business, entertainment and community uses that serve the needs of people who live, work in and visit the local area.

A local centre with river frontage provides a unique opportunity to create a destination point on the River that connects to recreation opportunities. A local centre in this location will provide daily conveniences for the local community without detracting from the CBD and proposed commercial centres in Estella.

6. Voluntary Planning Agreement:

A separate process is occurring to discuss opportunities to enter into a voluntary planning agreement with landowners. This could involve dedication of open space or other public benefits. The process/outcome will be reported to Council separately.

Conclusion

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.

Financial Implications

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.

A voluntary planning agreement is currently being considered.

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.

Policy and Legislation

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

Link to Strategic Plan

The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

Risk Management Issues for Council

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 (attachment 11).

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
TIER																	
Consult		☒			☒				☒				☒			☒	

Attachments

1. Planning proposal application
2. Urban Design Report - Provided under separate cover
3. Indicative Master Plan - Provided under separate cover
4. Service Feasibility Report - Provided under separate cover

5. Riverine Flood Assessment - Provided under separate cover
6. Preliminary Site Investigation - Provided under separate cover
7. Ecological Constraints Analysis - Provided under separate cover
8. Preliminary Aboriginal Heritage Review - Provided under separate cover
9. Assessment Report - Provided under separate cover
10. Infrastructure Assessment Report - Provided under separate cover
11. Engagement Plan - Provided under separate cover
12. 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