

REPORTS FROM STAFF

RP-1 PLANNING PROPOSAL (LEP18/0007) AMENDMENT TO MINIMUM LOT SIZE FOR LAND LOCATED ON GREGADOO ROAD, BLACKBUTT ROAD AND OLEARIA PLACE, LAKE ALBERT

Author: Crystal Atkinson

Director: Michael Keys

Summary:

Council is in receipt of a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 to reduce the minimum lot size from 2 hectares to 5000m² for land located on Gregadoo Road and Blackbutt Road, Lake Albert.

The recommendation is to support the planning proposal and expand the reduction of minimum lot size to Olearia Place to acknowledge the existing lot size pattern. If endorsed, the planning proposal, with Council's addendum will be submitted to the NSW Department of Planning, Industry and Environment for Gateway Determination.

Recommendation

That Council:

- a support planning proposal LEP18/0007 to amend the Wagga Wagga Local Environmental Plan 2010 minimum lot size
- b prepare an addendum to the application to expand the change in minimum lot size as identified in the report
- c submit the planning proposal with Council's addendum to the NSW Department of Planning, Industry and Environment for Gateway Determination
- d receive a further report after the 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 (LEP18/0007) to reduce the minimum lot size from 2 hectares to 5,000m ² for land located on Gregadoo Road and Blackbutt Road, Lake Albert.
Applicant	R Mastroianni c/- Salvestro Planning
Landowners	Refer to confidential attachment

Proposal

Council is in receipt of an application to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) to reduce the minimum lot size from 2 hectares to 5,000m² (Attachment 1).

The purpose of the planning proposal is to allow intensification of an existing large lot residential area.

Changes proposed in the application would be achieved by amending the minimum lot size map to reflect the outcomes shown in figure 1.

LEP18/0007 - Application to reduce minimum lot size

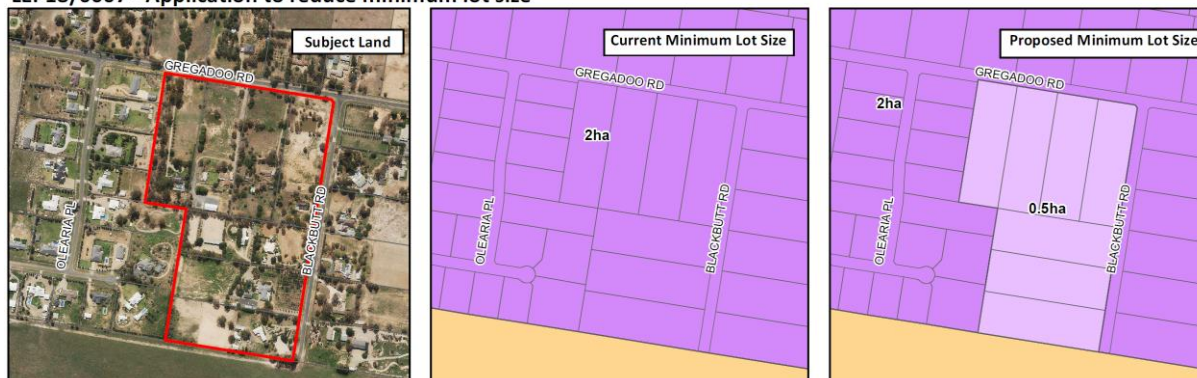


Figure 1: Proposed changes to the minimum lot size map (as per application)

Recommended Amendments

An addendum is proposed (Attachment 2) based on an assessment of the large lot residential area in Olearia Place where the 2-hectare minimum lot size provision is applied shows lots are predominantly around 5,000m² in size. The assessment report is provided as Attachment 3.

Based on the existing lot pattern, available services, and character of the area, it is proposed to expand the proposed minimum lot size to properties in Olearia Place. Expanding the 5,000m² minimum lot size to this location will acknowledge the existing lot size pattern of the area.

The proposed changes could result in an additional 20 lots being developed in this location.

Whilst there may be merit in considering further expansion of the reduction in minimum lot size, it is not proposed at this stage due to land constraints with overland flow flooding and easements.

The proposed extension will achieve the changes proposed but would apply the changes to a larger area than submitted by the applicant. The changes will be achieved by amending the minimum lot size map to reflect the outcomes shown in figure 2.

LEP18/0007 - Addendum to reduction in minimum lot size

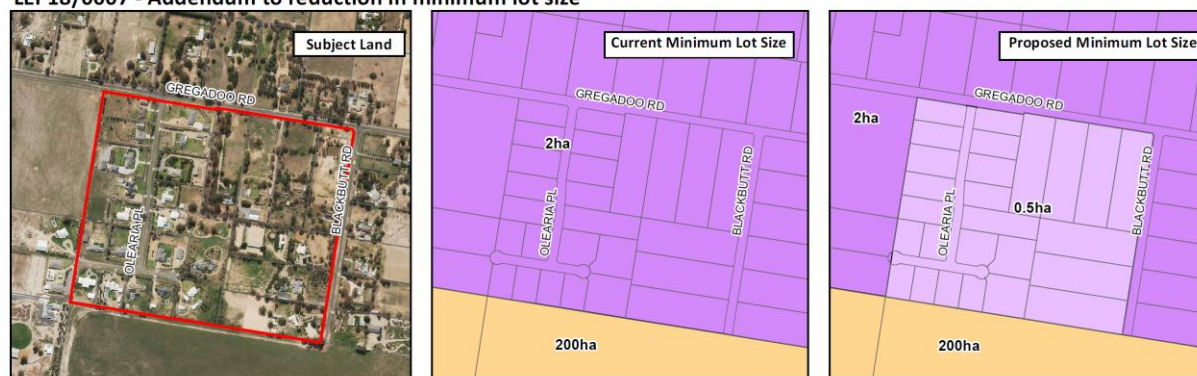


Figure 2: Proposed change to minimum lot size map (as amended)

The expansion will incorporate additional land along Olearia Place to the west of the proposal site to recognise the current subdivision pattern and lot configuration of the area. The extended area will incorporate the following properties:

- Lot 33 DP1127002, 1 Olearia Place, Lake Albert
- Lot 32 DP1127002, 2 Olearia Place, Lake Albert
- Lot 31 DP1127002, 3 Olearia Place, Lake Albert
- Lot 30 DP1127002, 4 Olearia Place, Lake Albert
- Lot 29 DP1127002, 5 Olearia Place, Lake Albert
- Lot 28 DP1127002, 6 Olearia Place, Lake Albert
- Lot 27 DP1127002, 7 Olearia Place, Lake Albert
- Lot 26 DP1127002, 8 Olearia Place, Lake Albert
- Lot 25 DP1127002, 9 Olearia Place, Lake Albert
- Lot 24 DP1127002, 10 Olearia Place, Lake Albert
- Lot 23 DP1127002, 11 Olearia Place, Lake Albert
- Lot 22 DP1127002, 12 Olearia Place, Lake Albert
- Lot 21 DP1127002, 16 Olearia Place, Lake Albert
- Lot 20 DP1127002, 15 Olearia Place, Lake Albert
- Lot 19 DP1127002, 17 Olearia Place, Lake Albert
- Lot 18 DP1127002, 18 Olearia Place, Lake Albert
- Lot 17 DP1127002, 19 Olearia Place, Lake Albert
- Lot 16 DP1127002, 20 Olearia Place, Lake Albert
- Lot 15 DP1127002, 21 Olearia Place, Lake Albert

Site and Locality

The site is located on Gregadoo Road approximately 8 kilometres south of the Wagga Wagga Central Business District. The site is an existing large lot residential area located on the southern fringe of the city.

Key Considerations

The planning proposal has been assessed against Council's strategies, policies and guidelines, the NSW Department of Planning, Industry and Environment's *Guideline for preparing planning proposals* and the Ministerial Directions. The key considerations are identified below, and the full assessment report is provided as Attachment 3.

1. Precinct considerations

When considering changes to planning provisions, consideration is to be given to applying the changes to a larger precinct rather than applying at a smaller scale achieving site specific outcomes.

There are no specific precinct size requirements, and each precinct is determined by looking at the existing development patterns and land constraints and opportunities.

For this planning proposal, the precinct is determined based on the existing lot size pattern of Olearia Place, overland flooding to the south and west, bushfire to the north, and an electricity easement to the west as shown in Figure 3.

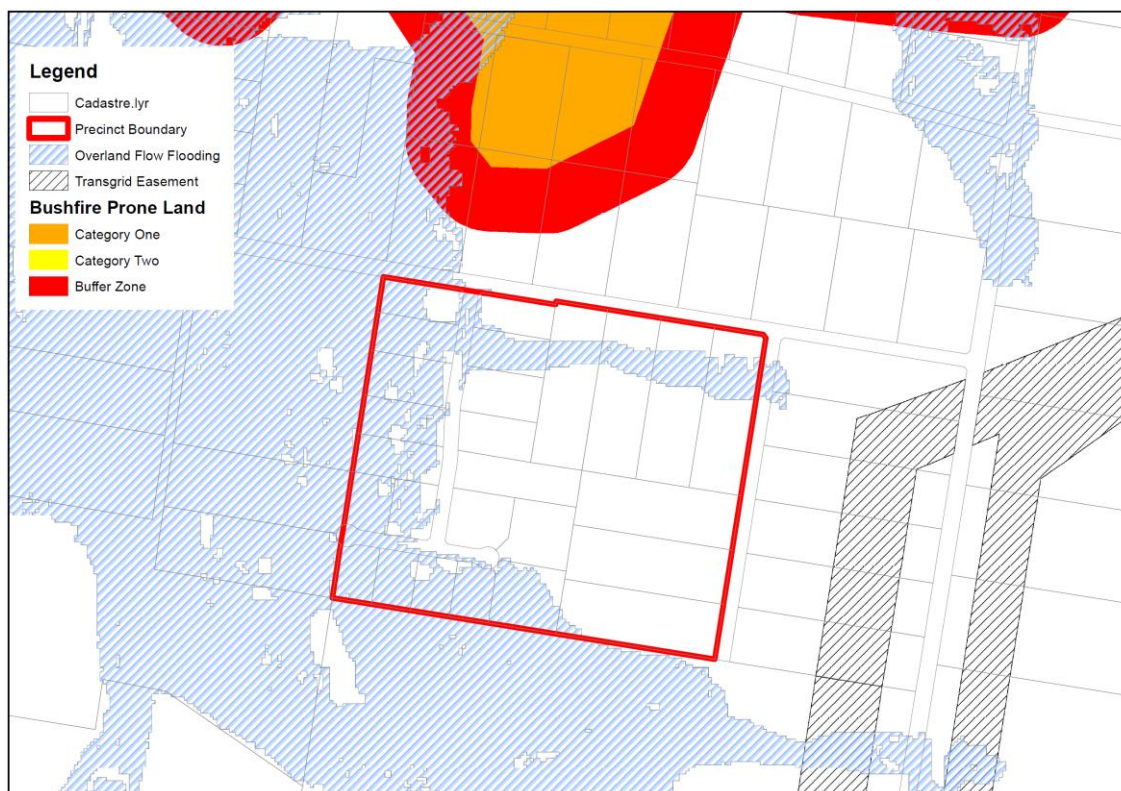


Figure 3: Precinct Boundary

2. Council's Vision or Strategic Intent

There is general support for the planning proposal in both local and regional policies.

- Riverina Murray Regional Plan 2036

The Riverina Murray Regional Plan 2036 (RMRP) outlines a goal to promote the growth of regional cities and local centres.

The planning proposal will promote the growth of regional cities and local centres by increasing the supply of housing within the city.

- Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040

The Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040 (LSPS) was adopted on 8 February 2021 and provides a blueprint for how and where Wagga Wagga will grow into the future. It sets out Council's 20-year vision for land use planning under key themes and principles.

The subject land is identified as 'residential land' in the LSPS with the aim to manage growth with infrastructure.

The planning proposal is consistent with the key principles as it avoids environmentally sensitive land and encourages growth in a sustainable manner, provides for sustainable infrastructure and improves housing supply and diversity.

3. Infrastructure

Matters regarding infrastructure and services have been investigated as part of the preparation of the planning proposal. Planning Proposals that change the minimum lot size provisions, generally require significant infrastructure studies to ensure development can be supported. With the limitations on how far the proposed changes can be applied and the limited additional lots that could be achieved, the infrastructure capacity is more easily addressed.

A summary of the key infrastructure considerations is summarised below:

- Stormwater:

Stormwater is currently managed via table drains along Gregadoo Road and Blackbutt Road. Whilst it is acknowledged that a drainage depression traverses the north-western portion of the subject land, development in this area can be designed to minimise impacts of stormwater drainage.

- Sewer:

To support the planning proposal, a Sewer Options Investigation Report was prepared and is provided as Attachment 4.

The capacity of the existing sewer system for the precinct identified in the planning proposal (shown in Figure 4) was investigated by the proponent to determine if there was sufficient capacity for potential future subdivision. The existing system was identified as being able to support a theoretical maximum of 224 additional tenements.



Figure 4: Sewer capacity investigation precinct

The report notes that the sewer main from Olearia Place is a 90mm main and would benefit from additional tenements to function properly. The line is identified to be underloaded as it receives less sewer than its designed minimum capacity.

The existing sewer system is a pressure sewer 50mm PE main line with sewer loadings both before and after subdivision within the minimum and maximum range of the existing pressure sewer system. The report identifies sufficient capacity within the existing system.

The report has identified alternatives for sewer servicing as identified below:

1. Connection to an existing gravity sewer discharge point

This option is the most financially economic for properties with no significant maintenance cost for pump stations and would fall under Councils maintenance program. However, where an existing gravity discharge outlet is not within a reasonable distance to the site, substantial installation costs may be incurred to build a connection line. A new connection line may not be possible due to grade and fall on the land as well as existing structures already built, which eliminates this option.

2. Combined gravity and pressurised sewer lines

This option involves the supply and installation of a new pump station and new gravity line. This option requires more capital investment by the developer at installation; however, maintenance costs will be borne by Council.

Whilst this option addresses capacity in the sewer system, the additional asset management costs and responsibilities are a burden on Council.

3. E-one system

This option is economic with four E-one connection points needed to be installed to carry sewer to the existing pressure PE line. This option has lower installation costs, however the ongoing maintenance costs for future landowners is higher than option 2.

The E-one system is consistent from an asset management as the surrounding subdivisions in Gregadoo Road also using the E-one systems.

Whilst the report recommends option 3, Council's preference is to utilise gravity sewer options where possible and the final sewer system choice will need to be approved by Council.

- Water:

The subject land is connected to reticulated water supply provided by Riverina Water County Council. The proposal has indicated supply can be made available to additional lots resulting from the planning proposal.

- Traffic:

The subject land has direct access to Gregadoo Road to the north which has a speed limit of 60km/h.

- Electricity:

The subject land has access to electricity.

4. LEP Provisions

- Existing provisions

The site is currently zoned R5 Large Lot Residential with a minimum lot size of 2 hectares. The land is rural lifestyle in nature.

- Proposed provisions

The proposed changes to the LEP will enable the subdivision of the site to create approximately 20 additional lots.

5. Development Control Plan

Development of the subject site will be undertaken in accordance with the rural provisions of the Wagga Wagga Development Control Plan 2010 (DCP). The minimum lot size proposed will continue to trigger the native vegetation requirements under section 5.3 of the DCP to protect any native vegetation in the area.

Financial Implications

In accordance with Council's 2017/18 Fees and Charges, a Minor LEP Amendment fee of \$7,500.00 applied at the time of the application being submitted. The proponent has paid these fees.

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

Council's contribution plans and development servicing plans enable Council to levy contributions and developer charges based on the likely increased demands that the new development will have on public facilities, sewer and/or stormwater.

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

Policy and Legislation

Environmental Planning and Assessment Act 1979
Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040
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 public will occur if Gateway Determination is received.

Preliminary consultation was undertaken with affected landowners with no objections raised to reducing the minimum lot size to 5,000m².

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. LEP18/0007 - Application - Provided under separate cover

2. LEP18/0007 - Addendum - Provided under separate cover

3. LEP18/0007 - Assessment Report - Provided under separate cover

4. LEP18/0007 - Sewer Options Investigation Report - Provided under separate cover

5. LEP18/0007 - Landowners

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. (Late attachment)

RECORD OF VOTING ON THE MOTION

For the Motion

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

Against the Motion

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RP-1 PLANNING PROPOSAL (LEP18/0007) AMENDMENT TO MINIMUM LOT SIZE FOR LAND LOCATED ON GREGADOO ROAD, BLACKBUTT ROAD AND OLEARIA PLACE, LAKE ALBERT

Councillor D Tout declared and Significant Non-Pecuniary Interest vacated the chamber, the time being 6:03pm.

21/375 RESOLVED:

On the Motion of Councillors R Kendall and K Pascoe

That Council:

- a support planning proposal LEP18/0007 to amend the Wagga Wagga Local Environmental Plan 2010 minimum lot size**
- b prepare an addendum to the application to expand the change in minimum lot size as identified in the report**
- c submit the planning proposal with Council's addendum to the NSW Department of Planning, Industry and Environment for Gateway Determination**
- d receive a further report after the 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
D Hayes
V Keenan
R Kendall
T Koschel
K Pascoe

Against the Motion

Councillor D Tout re-entered the chamber, the time being 6:06pm.