



**blueprint**

**PLANNING**  
& DEVELOPMENT

28 February 2024

Ref: 1637

General Manager  
Greater Hume Council  
39 Young Street  
HOLBROOK NSW 2644

By email only: Greater Hume Council <mail@greaterhume.nsw.gov.au>

Dear Sir/Madam

Re: **Greater Hume Local Environmental Plan 2012 - Rezoning of R5 Large Lot Residential Zone land to RU5 Village Zone and changes to minimum subdivision lot size - Lots 1-3 DP1287711, Commercial Street and Walla Walla Road, Walla Walla NSW**

Further to the Department of Planning and Environment (DPE) rejecting the Planning Proposal on adequacy grounds, comments in response are provided at **Attachment 1**. The amended/updated Planning proposal is provided **attached** for re-lodgement with DPE.

Should any further information be required I can be contacted on 02 6023 6844 or at james@blueprintplanning.com.au

Yours sincerely,  
Blueprint Planning

James Laycock MPiA, RPIA  
PRINCIPAL PLANNER

/Encl.

# ATTACHMENT 1

Issue raised	Response								
1. Justify site selection and analyse development potential on existing zoned land in Walla Walla.	<p>Additional comment has been added to the Planning Proposal –</p> <p><i>In Walla Walla there are significant tracts of undeveloped RU5, R2 and R5 land (refer to Figure 3). Whilst this land may be zoned permitting residential development, anecdotally this land is not available for development. This is simply because the owner/s of the land do not wish to develop and/or sell their land for development. It may be the case that some land owners wish to develop their land in the future but certainly not at the moment. This situation is not unusual.</i></p> <p><i>Therefore, in regard to current land supply and demand in Walla Walla, whilst there is appropriately zoned land for residential development there is no or limited available 'supply' of it in the form of willing developers and sellers.</i></p> <p><i>The subject Planning Proposal has been initiated by the Proponent who is a willing developer and seller. In this regard 'supply' has a chance of meeting 'demand'.</i></p> <p>The above explanation represents the simple facts and circumstances of the matter. The planning system is well known for not having any 'levers' to force people to sell or develop their land.</p>								
2. Demonstrate the feasibility of water and sewer infrastructure upgrades. More specifically, the cost and funding of upgrades.	<p>Additional comment has been added to the Planning Proposal –</p> <p><i>Adequate public infrastructure for the Planning Proposal already exists or will be made available to the Land via connecting public roads and reticulated services.</i></p> <table><tr><th>Reticulated service</th><th>Consultation</th><th>Reference document</th></tr><tr><td>Water</td><td><i>Consultation with Riverina Water has revealed that acceptable water capacity (volume and pressure) exists to service the Land to a point and then augmentation works would need to occur. Consultation is continuing to facilitate forecast capital works and budgeting.</i></td><td><i>Infrastructure Report at <b>Appendix G.</b></i></td></tr></table>			Reticulated service	Consultation	Reference document	Water	<i>Consultation with Riverina Water has revealed that acceptable water capacity (volume and pressure) exists to service the Land to a point and then augmentation works would need to occur. Consultation is continuing to facilitate forecast capital works and budgeting.</i>	<i>Infrastructure Report at <b>Appendix G.</b></i>
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<i>Sewer</i>	<i>Consultation with GHC has revealed that adequate sewer capacity exists to service the Land in full, with a sewer pump station required.</i>
<i>Stormwater</i>	<i>Consultation with GHC has revealed that adequate stormwater capacity exists to service the Land in full.</i>
<i>Electricity</i>	<i>Consultation with Essential Energy has revealed that adequate electrical capacity exists to service the Land in full, with electrical sub-stations required.</i>
<i>Telecommunications</i>	<i>Consultation with Telstra has revealed that adequate telecommunications capacity exists to service the Land in full.</i>
<i>Natural gas</i>	<i>Consultation with APA has revealed that adequate natural gas capacity exists to service the Land in full.</i>

*The costs of connecting reticulated services to the Land will be borne by the developer. The eventual residential subdivision of the Land would be subject to Council's and Riverina Water's normal 'developer contribution' fees and charges also at the cost of the developer.*

*3. Clarify the inclusion of a 600sqm MLS on both RU5 and R5 land and amend where needed.*

All existing RU5 zone land in Walla Walla has a MLS of 4,000m<sup>2</sup> except for the Land. This is because the DCP has a 'guideline' preference for commercial land uses to be located on the Land and therefore any commercial subdivision would most likely require a MLS of less than 4,000m<sup>2</sup>. However, Council currently has a DA for residential subdivision before it along the entire Commercial Street frontage of the Land which it intends to approve. Of course, the RU5 zone permits certain residential and commercial land uses. Therefore, the effect of the DCP will become null in relation to this issue and for consistency reasons it is considered that it would be appropriate for the subject RU5 zone land to have a MLS of 4,000m<sup>2</sup> so it matches all other RU5 zone land in Walla Walla. Having no change to the existing MLS or a different MLS would be inappropriate on streetscape and neighbourhood character grounds. The current explanation in the Planning Proposal is that an MLS of 4,000m<sup>2</sup> is appropriate to match and integrate with the existing MLS for the same zone.

In regard to the proposed zone change from R5 to RU4 with a 4,000m<sup>2</sup> MLS only approximately 38 additional lots are possible, which is not significant in the context of Walla Walla. Consultation with Council (roads, sewer, stormwater), Essential Energy



	<p>(electricity), APA (natural gas) and Telstra (telecommunications) has revealed that there are no technical servicing or capacity constraint issues. Consultation with Riverina Water (water) has revealed what is exactly mentioned in the Infrastructure Report –</p> <p><i>"In regard to Stages 3 – 5 (37 Residential lots) a broader discussion with Greater Hume council and information is required to determine the strategic future growth plan is for Walla Walla so RWCC can facilitate and plan the necessary upgrades / services to supplement and supply adequate water pressure and flow."</i></p> <p>Consultation with Riverina Water is ongoing and is supported by Council. As would be the case for any subdivision DA lodged on existing vacant RU5, R5 or R5 zone land (independent of any Planning Proposal), the connection of reticulated water is required which would necessitate Riverina Water planning for and providing necessary water volume and pressure as part of its normal capital works budgeting and implementation program.</p>
<p>4. <i>Assess the proposal's consistency with objectives of the Riverina Murray Regional Plan 2041, particularly the directions that relate to housing and servicing and infrastructure provision.</i></p>	<p>Additional comment has been added to the Planning Proposal generally in accordance with the above comments.</p>
<p>5. <i>Discuss the inconsistency with Council's DCP, where the entire subject</i></p>	<p>Please refer to the response provided for Item 3 above.</p>



*area is identified for commercial use. The updated proposal should also consider its impact to the supply of land for commercial uses in Walla Walla.*

6. *Justify inconsistencies with S9.1 Directions 9.1 Rural Zones and 9.2 Rural Lands.*

Directions 9.1 and 9.2 only have relevance to rural zones excluding the RU5 zone. If the RU5 zone was a rural zone in the context of Directions 9.1 and 9.2 it would not make sense. For example –

#### **Focus area 9: Primary Production**

##### **9.1 Rural Zones**

###### **Objective**

*The objective of this direction is to protect the agricultural production value of rural land.*

###### **Direction 9.1**

*(1) A planning proposal must:*

- (a) not rezone land from a rural zone to a residential, employment, mixed use, SP4 Enterprise, SP5 Metropolitan Centre, W4 Working Waterfront, **village** or tourist zone.*
- (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).*

##### **9.2 Rural Lands**

###### **Objective**

*The objectives of this direction are to:*

#### **Comment**

If land is already zoned RU5 it is not rural land which has the context of requiring agricultural production value protection etc. Likewise, land already zoned R5 is not rural land.

- (a) protect the agricultural production value of rural land,*
- (b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,*
- (d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,*
- (e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,*
- (f) support the delivery of the actions outlined in the NSW Right to Farm Policy.*

**Direction 9.2**

- (1) A planning proposal must:*
  - (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement*
  - (b) consider the significance of agriculture and primary production to the State and rural communities*
  - (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources*
  - (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions*
  - (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities*
  - (f) support farmers in exercising their right to farm*
  - (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use*
  - (h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary Production) 2021 for the purpose of ensuring the ongoing viability of this land*
  - (i) consider the social, economic and environmental interests of the community.*
- (2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:*



- (a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses*
- (b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains*
- (c) where it is for rural residential purposes:*
  - i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres*
  - ii. is necessary taking account of existing and future demand and supply of rural residential land.*

Therefore, the assumption that there are inconsistencies with Directions 9.1 and 9.2 firstly implies that Directions 9.1 and 9.2 are relevant for consideration, which they are not – because: if land is already zoned RU5 it is not rural land which has the context of requiring agricultural production value protection etc; likewise, land already zoned R5 is not rural land.

*7. Update the subject area in the traffic impact assessment to be consistent with the rest of the proposal.*

Prior consultation with Council was that Council wanted the entire existing R5 zone area included in the TIA for the purposes of assessing whether there would be any traffic engineering and safety issues associated with any linking roads. This was agreed to because it makes sense as there are linking roads with cumulative traffic generation impacts. Therefore, no change has been made as assessing the entire existing R5 zone area is considered appropriate.

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