

**RP-4      PROPOSED AMENDMENTS TO THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 AND OPTIONS FOR SALE OF LAND - LOT 2, DP 7702230, BOOROOMA**

**Author:** Paul O'Brien  
**General Manager:** Peter Thompson

**Summary:** Council, at its ordinary meeting of 16 December 2019 resolved (19/474) that council:

- a note the contents of this report
- b receive a further report on options for sale of the existing site, Lot 2, DP 702230, Farrer Rd, Boorooma
- c in consultation with Emergency Service Providers investigate options for an alternate site in the Bomen SAP area

This report is presented to update council in relation to that resolution and for consideration of recommendations to progress the development of Lot 2, DP 702230, Farrer Rd, Boorooma.

It is recommended that a Planning Proposal be prepared to rezone part of the subject site from R5 (Large Lot Residential) to R1 (General Residential) and remove the 2 Ha minimum lot size. This planning proposal is considered to be routine in nature and is consistent with the Wagga Wagga Local Strategic Planning Statement in ensuring that appropriate housing is available while maintaining liveability, sense of community and local identity.

It is recommended that a EOI process for the sale of the land be undertaken to allow the development industry to put forward options for purchase and development of the land. This tender process will allow the industry to put forward options tailored to the best residential use of the land combined with the public interest.

Discussions between RGDC, Council and RFS have been very constructive and an alternative precinct approach at a different site on the northern side of the city is being negotiated.

---

**Recommendation**

---

That Council:

- a endorses the preparation of a Planning Proposal, as detailed in the attached scoping report; and
  - i forwards it to the Minister for Planning seeking an Amendment to the WLEP 2010 and requests that a Gateway Determination be issued, including the delegation of Plan making powers, so as to enable the public exhibition of the Planning Proposal pursuant to the EP&A Act 1979; and
  - ii upon receipt of a Gateway Determination under Section 3.34 of the EP&A Act 1979, Council places the Planning Proposal and any supporting material on public exhibition pursuant to any requirements of the Gateway Determination and Schedule 1, clause 4 of the EP&A Act 1979; and

- iii should no objections be received, furnishes a copy of this report and other relevant information to the NSW Department of Planning, Industry and Environment and/or NSW Parliamentary Counsels Office, in accordance with the EP&A Act 1979, and requests the Minister for Planning (or a delegate on their behalf) undertake the appropriate actions to secure the making of the amendment to the WLEP 2010.
- b commence an expression of interest (EOI) process for the sale/lease of the land formulated to allow the development industry to put forward options for purchase/lease and development of the land to achieve the best residential use of the land combined with the public interest.
- c continue negotiations with RGDC and emergency services agencies to facilitate an alternative precinct approach at a different site on the northern side of the city.

## Report

### Amendment to Wagga Wagga Local Environmental Plan 2010

This report proposes preparation of a Proposed Planning Proposal that will request an amendment to the Wagga Wagga Local Environmental Plan 2010 (WWLEP2010).

The Planning Proposal to rezone part of the subject site and remove the 2 Ha minimum lot size is considered to be routine in nature and is consistent with the Wagga Wagga Local Strategic Planning Statement in ensuring that appropriate housing is available while maintaining liveability, sense of community and local identity.

Should Council endorse the attached scoping report and provide in principle support for the lodgement of a planning proposal, any subsequent Planning Proposal will be prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the NSW Government's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*.



Figure 1 Aerial Image of the site and surrounds

The intended outcomes are shown in figures 2 and 3 below.

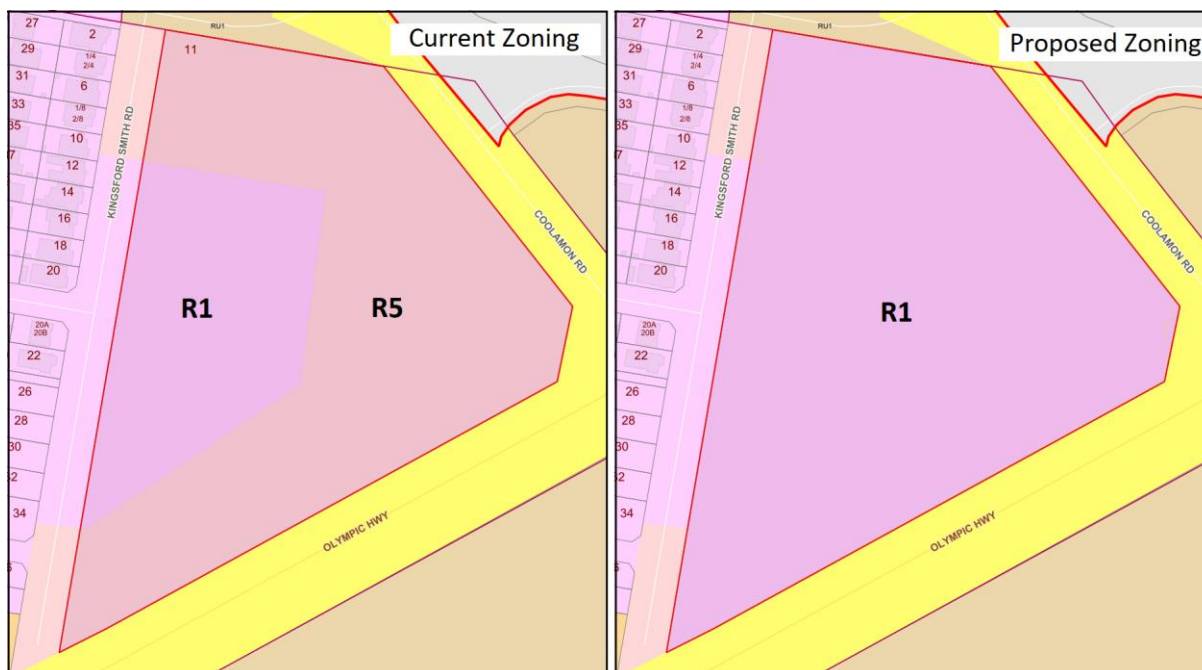


Figure 2 Current and Proposed Zoning

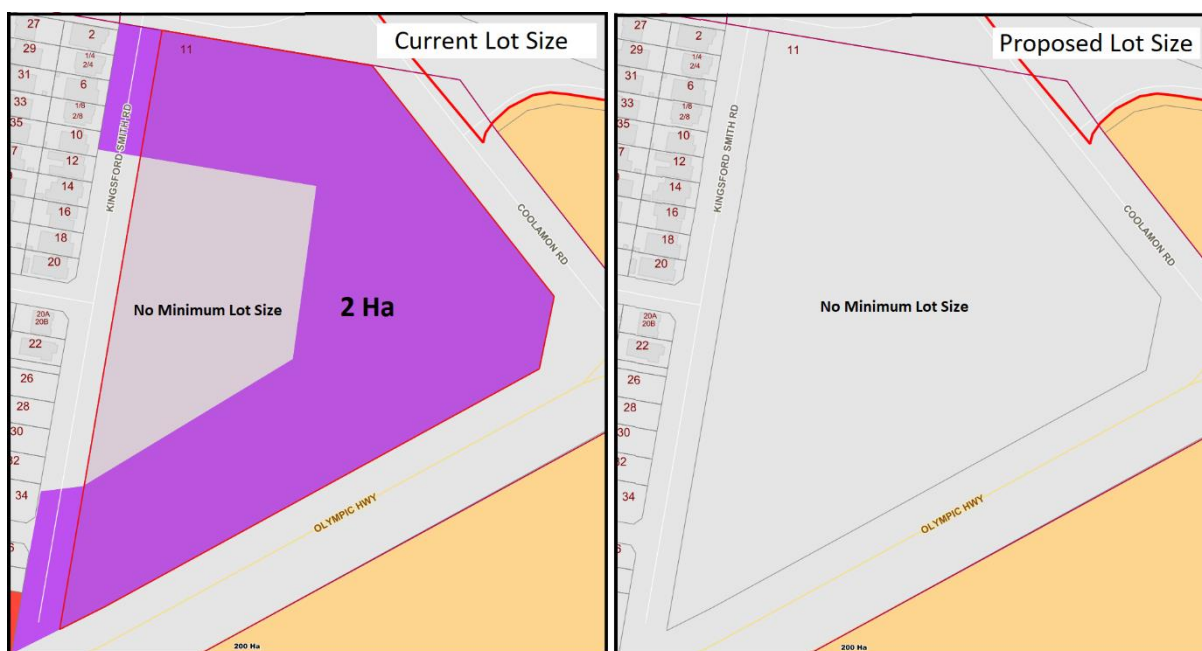


Figure 3 Current and Proposed Minimum Lot Size

## Site and Locality

The site is located approximately 9.5km north and west of the Wagga Wagga City Centre adjacent to the intersection of the Olympic Highway and Coolamon Road. Boorooma and Charles Sturt University are located to the west of the site and Cartwrights Hill is located to the east. The site has a total area of approximately 8.18 hectares.

## Key Considerations

The objective of the Planning Proposal will be to enable the subject land to be rezoned and developed for general residential purposes. The Planning Proposal will allow the site to be developed in an orderly and economic manner and will facilitate future

development that will be consistent with the adjacent residential land uses in the R1 (General Residential) zone, increasing the potential lot yield from 29 to 69.

## **1. Strategic Context and Strategic Planning**

The Riverina Murray Regional Plan 2041 provides overarching strategic framework for the region, guiding each Council's more detailed local planning. The vision for the region, as outlined within the plan, is 'a diversified economy founded on Australia's food bowl, iconic waterways and a network of vibrant connected communities'. The proposal is consistent with the relevant principles and objectives of this plan.

The proposed rezoning is consistent with council's Local Strategic Planning Statement (LSPS), providing for a diversity of housing that meets our needs and ensuring that appropriate housing is available while maintaining liveability, sense of community and local identity. The site currently includes around 30% of its area already zoned R1 (General Residential), and its location adjacent to existing developed R1 zoned land to the west further demonstrates the potential for integration of the remaining 70% of the site into the residential character of the area.

## **2. Contamination**

The site has previously been used for agricultural activities, such as cropping and grazing. The site is not listed on councils register of potential contaminated sites.

## **3. Biodiversity**

The site consists of paddocks containing non-native vegetation which are not considered to offer any significant conservation values.

## **4. Infrastructure**

The proposal will locate infill residential development in an existing urban area with existing services and infrastructure

### **Sale of land by expression of interest (EOI)**

POL 038 – Acquisition, Disposal and Management of Land Policy, sets the requirements when disposing of council owned land.

POL 038 provides that all decisions and actions in relation to the acquisition, disposal and/or management of Land should have due regard to the following fundamental principles:

- *Best value for money* – achieving 'best value' for the whole of the community may include both direct and indirect benefits in relation to economic, financial, social and environmental outcomes.
- *Transparency* – processes should be open to scrutiny and provide full information and record the reasons behind decisions.
- *Accountability* – demonstrate the best use of public resources and the highest level of performance through appropriate record keeping and audit trails.
- *Impartiality* – address perceived and/or actual conflicts of interest.

POL 038 further provides that disposal of Land should occur by an open competitive process such as auction, tender or expression of interest (EOI) unless exceptional circumstances warrant disposal by means of direct negotiation with a single party.

This report recommends that council commence an expression of interest (EOI) process for the sale/lease of the land formulated to allow the development industry to put forward options for purchase/lease and development of the land to achieve the best residential use of the land combined with the public interest.

This would have the effect of locking the potential land purchaser/lessee into a fixed agreed development outcome, deemed by council to provide the best value for the Wagga Wagga local government area.

An expression of interest (EOI) process is preferable over a tender process as it allows greater flexibility for council in negotiation of the proposal achieving 'best value' for the whole of the community. Section 55(3)(d) of the Local Government Act specifically removes the requirement for a contract for the purchase or sale by a council of land to be facilitated by tender.

### **Emergency Services Precinct**

That Council staff continue negotiations with RGDC and emergency services agencies to facilitate an alternative precinct approach at a different site on the northern side of the city.

Discussions between RGDC, Council and RFS have been very constructive and an alternative precinct approach at a different site on the northern side of the city is being negotiated.

### **Financial Implications**

---

N/A

### **Policy and Legislation**

---

Environmental Planning and Assessment Act 1979  
Riverina Murray Regional Plan 2041  
Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040  
Wagga Wagga Local Environmental Plan 2010

### **Link to Strategic Plan**

---

### **Growing Economy**

Objective: Wagga Wagga is an attractive location for people to live, work and invest  
Attract and support local businesses, industry, and employment opportunities

### **Risk Management Issues for Council**

---

Providing appropriate areas of residential zoned land within the Wagga Wagga local government area assists in ensuring housing options are available while maintaining liveability, sense of community and local identity.

## Internal / External Consultation

Relevant internal and external consultation will be completed as part of the preparation of the proposed planning proposal and it's assessment.

	Mail			Traditional Media				Community Engagement				Digital				
	Rates notices insert	Direct mail	Letterbox drop	Council news	Media release	Media opportunity	TV/radio advertising	One-on-one meeting(s)	Community meeting(s)	Stakeholder workshop(s)	Drop-in session(s)	Survey/feedback form(s)	Have your Say	Email newsletter	Social media	Website
Inform																
Consult		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>											<input checked="" type="checkbox"/>	

## Attachments

1   11 Farrer Rd Boorooma R5 to R1 - Scoping-Proposal