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Item {item-no} {item-title}

AUTHOR/S: {position-do-not-remove}

APPROVER/S: Director Economic and Community Development

SUMMARY/PURPOSE

Planning Proposal PP-2025-984 was placed on public exhibition from 1 November 2025 to 16 January 2026 in accordance with the Gateway Determination issued by the NSW Department of Planning, Housing and Infrastructure (DPHI) and the Leeton Shire Council Community Engagement Strategy. Three (3) submissions were received from the public exhibition phase, which have been considered in the finalisation of the Planning Proposal.

This report analyses the issues raised in submissions and provides a final version of Planning Proposal PP-2025-984 for assessment by Council.

For noting: The purpose of this Planning Proposal (PP-2025-984) is to amend the Leeton Local Environmental Plan 2014 to rezone Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road from R1 General Residential to a R3 Medium Density Residential zone as well as to apply a 300m² minimum subdivision lot size standard to the site.

The intended outcome of Planning Proposal PP-2025-984 is to provide for medium density residential subdivision and development.

RECOMMENDATION

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THAT Council resolves to:

1. Support the Planning Proposal to amend the Leeton Local Environmental Plan 2014 to rezone Lot 330 DP 751742 and Lot 3 DP 1067105 from R1 General Residential to a R3 Medium Density Residential zone as well as to apply a 300m² minimum subdivision lot size standard.
2. Note the outcome of the public exhibition of the Planning Proposal PP- 2025-984 including the objections and submissions received as detailed in the submissions table, attached to this report.
3. Endorse Council's response to the objections/submissions received during the exhibition, as set out in the Council report and submissions table, and confirms that those matters have been appropriately considered.
4. Endorse the Planning Proposal for finalisation and requests the Department of Planning, Housing and Infrastructure to finalise the Planning Proposal under section 3.36 of the Environmental Planning and Assessment Act 1979.

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REPORT

(a) Background

Leeton Shire Council is addressing the lack of housing in Leeton Shire, as per the Leeton Housing Strategy 2024 and the Leeton Housing Strategy Implementation Plan 2025.

Lot 330 DP 751742 and Lot 3 DP 1067105 is Council-owned 'Operational Land' that is ideal for medium density housing. It comprises a relatively large area of residential zoned land in close proximity to the Leeton Hospital, TAFE, High School and Public School as well as Southern Cross Aged Care, Men's Shed and a neighbourhood shop.

The site also has existing access to robust road and active transport networks, open spaces and urban utilities.

The Planning Proposal (**Attachment 1**) seeks to amend the Leeton Local Environmental Plan 2014 to rezone Lot 330 DP 751742 and Lot 3 DP 1067105 from R1 General Residential to R3 Medium Density Residential zone as well as to apply a 300m² minimum subdivision lot size standard to the site.

Gateway Determination of Planning Proposal PP-2025-984 was issued by DPHI on 22 July 2025 advising the proposed amendment to the Leeton Local Environmental Plan 2014 should proceed subject to the following:

- Identification of an appropriate minimum lot size for the site.
- Maps showing flood impacts to the site and further justification to resolve inconsistencies with Ministerial Direction 4.1 Flooding.
- Updated existing maps to be clear and suitable for community consultation and include proposed zoning and lot size maps.

An updated Planning Proposal that addressed the above gateway requirements was prepared on 13 October 2025 and subsequently placed on public exhibition from 1 November 2025 to 16 January 2026 in accordance with the Gateway Determination and the Leeton Shire Council Community Engagement Strategy. Three (3) submissions were received from the public exhibition of Planning Proposal PP-2025-984, with the issues raised in submissions being assessed in a Review of Submissions Table (**Attachment 2**).

(b) Discussion

The need for the Planning Proposal is a direct result of the Leeton Housing Strategy 2024 and Leeton Housing Strategy Implementation Plan 2025.

Justification for the Planning Proposal (**Attachment 1**) has been provided generally throughout the Planning Proposal, dated 13 October 2025; with the following key reasons underpinning the proposed changes to the Leeton LEP 2014:

- The site has a history of higher density living, having previously been used as a caravan park.
- The site is already zoned for general residential purposes.
- The site has a central location in proximity to Leeton Hospital, TAFE, Leeton High School and Public School, Southern Cross Aged Care, Men's Shed and a neighbourhood shop.
- The site has existing access to robust road and active transport networks, open spaces and urban utilities.
- The site is suitably separated from sensitive land-uses.

- The current use of the site for an off-leash area is not consistent with its residential zoning and central location, with higher density living assessed to be of greater community benefit and consistent with the strategic led framework under the Leeton Shire Council Housing Strategy 2024 and Leeton Housing Strategy Implementation Plan 2025.
- All potential environmental and amenity impacts associated with the proposal are able to be suitably mitigated within the site.
- The proposal aligns with the strategic vision for the Leeton Shire and the Murrumbidgee Region by supplying new medium density housing, which is in short supply.

The land that is subject to this Planning Proposal (Lot 330 DP 751742 and Lot 3 DP 1067105) is owned by Leeton Shire Council and classified as 'Operational Land' under the Local Government Act 1993. The site is currently zoned R1 General Residential, with adjoining land-use comprising a mix of urban land-use zoned R1 General Residential and R3 Medium Density Residential (south), R2 Low Density Residential (east), E1 Local Centre and R1 General Residential (north) and RE1 Public Recreation (west). Nearby land-uses include Leeton Hospital, TAFE, Leeton High School and Public School, Goodstart Early Learning Centre, Southern Cross Aged Care, Leeton Men's Shed and a neighbourhood shop.

Medium density housing at the site was considered by Council as part of the Leeton Housing Strategy Implementation Plan 2025. The option of smaller Torrens Title lots was preferred by Council, as it is in short supply in the Leeton Shire. Council taking a lead in promoting medium density housing may help promote further such developments in the shire.

Section 3.33(2)(a) of the Environmental Planning and Assessment Act 1979 requires a Planning Proposal to include a statement of the objectives or intended outcomes of the proposed amendments.

Submissions from Public Exhibition

The Planning Proposal PP-2025-984 was placed on public exhibition from 1 November 2025 to 16 January 2026.

Three (3) submissions were received from members of the public, which are included in **Attachment 2** along with a Review of Submissions Report. The main issue raised in submissions is the loss of off-leash dog facilities currently provided at Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton. There was also some discussion about the design and siting of proposed medium density housing at the site and how it fits into the bigger picture of pathways, roads, shortcuts to town, trees and parks.

The land surrounding the site comprises a mix of zones: R1 General Residential and R3 Medium Density Residential to the south; R2 Low Density Residential to the east; E1 Local Centre and R1 General Residential to the north; and RE1 Public Recreation to the west.

Nearby land uses include Leeton Hospital, TAFE, the High School, and the Public School, as well as the Goodstart Early Learning Centre, Southern Cross Aged Care, the Leeton Men's Shed, and a neighbourhood shop. Other notable land use activities in the area include playing fields to the west.

Having regard to the surrounding land uses, zoning, road network, active transport connections, open space, and community facilities, the site is well suited to the proposed residential development.

It is important to note Lot 330 DP 751742 and Lot 3 DP 1067105 are not 'Community Land' that is required to be used for a public purpose in accordance with a Plan of Management prepared under the Local Government Act 1993. Lot 330 DP 751742 and Lot 3 DP 1067105 are 'Operational Land' and Council is free to develop the land in accordance with the Leeton Local Environmental Plan 2014, which is for residential purposes.

Prior to any redevelopment of Lot 330 DP 751742 and Lot 3 DP 1067105, it is intended that a suitable alternate off-leash area is established, in consultation with the Leeton community. This is already identified in the DPOP and is being budget for in 26/27.

Objectives of the Planning Proposal

To amend the Leeton LEP 2014 to:

- Rezone Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road to R3 Medium Density Residential.
- Apply a minimum subdivision lot size to Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road of 300m² that is reflective of medium density residential land-use.

Intended Outcomes of the Planning Proposal

The aims of the Planning Proposal PP-2025-984 are to:

- Extend the existing R3 Medium Density Residential zone to the north.
- Rationalise the site in the context of adjoining childcare facility, neighbourhood shops, open spaces, roads and active transport connections.
- Provide opportunity for medium density residential subdivision and development, subject to all consent conditions, approvals and licences being granted.

No other changes are proposed to the Leeton Local Environmental Plan 2014.

Conclusion

The need for Planning Proposal PP-2025-984 is supported in the Leeton Housing Strategy 2024 and Leeton Housing Strategy Implementation Plan 2025. The rezoning of Lot 330 DP 751742 and Lot 3 DP 1067105, 3-9 Brobenah Road, Leeton to R3 Medium Density Residential zone will allow a Development Application for subdivision to be processed by Leeton Shire Council. To address issues raised about the loss of off-leash facilities, it is intended that a suitable alternate off-leash area be established in Leeton, in consultation with the Leeton community.

(c) Options

THAT Council:

1. Supports the Planning Proposal to amend the Leeton Local Environmental Plan 2014 to rezone Lot 330 DP 751742 and Lot 3 DP 1067105 from R1 General Residential to R3 Medium Density Residential zone as well as to apply a 300m² minimum subdivision lot size standard. This is the recommended option. ***This is the recommended option.***
2. Resolves not to proceed with the Planning Proposal and proposes another way forward.

IMPLICATIONS TO BE ADDRESSED

(a) Financial

The costs associated with the finalisation of the Planning Proposal will be covered within the existing Strategic Planning budget. In adopting the Planning Proposal Council is not committing additional funds to the project above what has already been voted.

(b) Policy

The following strategic guidance has been referenced in the finalisation of the Planning Proposal:

- Local Environmental Plan Making Guidelines, August 2023.
- Gateway Determination issued by the Delegate of the Minister for Planning, 22 July 2025.
- Community Engagement Strategy.
- Riverina Murray Regional Plan 2041.
- Leeton On The Go – Community Strategic Plan – Towards 2035.
- Leeton Shire Council Local Strategic Planning Statement, 2020.
- Leeton Shire Council Housing Strategy 2024.
- Leeton Housing Strategy Implementation Plan 2025.

(c) Legislative/Statutory

The Planning Proposal has been prepared in accordance with the *Environmental Planning and Assessment Act 1979*.

(d) Risk

If Council does not make provisions for more R3 Medium Density Residential zoned land, several risks and consequences may arise:

- **Housing Supply Constraints:** There could be a shortage of medium-density housing options, which are often in demand for various demographic groups such as young professionals, retirees, key workers and small families. This could lead to housing affordability issues as demand outstrips supply.
- **Inefficient Land Use:** Medium-density zoning allows for more efficient use of land within urban areas. Without enough R3 zones, there could be underutilisation of existing infrastructure and services in built-up areas.
- **Demographic Shifts:** Failure to accommodate medium-density housing can lead to demographic shifts, such as younger generations moving away due to unaffordable housing, impacting community diversity and vitality.

CONSULTATION

(a) External

- State departments e.g. NSW Department of Planning and Environment.
- Leeton Shire residents.
- Leeton and District Local Aboriginal Land Council.

(b) Internal

- General Manager

- Town Planner

LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN (DPOP)

4. Economic Development

4.3 Develop land for housing at Brobenah Road, Leeton (former caravan park) and in Whitton at Conapaira Street - ideally break even to Council in the long term

5. Planning, Building and Health

5.1 Undertake and implement strategic land use planning, including the Implementation of Local Strategic Planning Statement (LSPS) and a growth strategy for Leeton Shire Council.

4.3.1 Facilitate housing development on council-owned land at the former caravan park, by progressing subdivision and planning for affordable housing.

ATTACHMENTS

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