

**RP-4 DRAFT PLANNING PROPOSAL (LEP19/0007) TO AMEND THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 - LADYSMITH****Author:** Crystal Golden**Director:** Michael Keys**Summary:**

Council is in receipt of an application (LEP19/0007) to amend the Wagga Wagga Local Environmental Plan 2010. The proposal seeks to reduce the minimum lot size applicable to a lot adjacent to the Ladysmith village.

An assessment of the application concluded that the planning proposal may proceed, and the recommendation is to request a Gateway Determination from NSW Department of Planning, Industry and Environment.

**Recommendation**

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That Council:

- a support planning proposal LEP19/0007 and the Council addendum to amend the Wagga Wagga Local Environmental Plan 2010
- b submit planning proposal LEP19/0007 with the Council addendum to the NSW Department of Planning, Industry and Environment for Gateway Determination
- c receive a further report after the public exhibition period:
  - i addressing any submissions made in respect of planning proposal LEP19/0007 and the Council addendum
  - ii proposing adoption of the planning proposal LEP19/0007 and the Council addendum unless there are any recommended changes deemed to be substantial and requiring a further public exhibition period

**Applicant Details:**

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**Submitted Proposal:**

Amendment to Wagga Wagga Local Environmental Plan 2010 to reduce the minimum lot size from 200 hectares to 2 hectares for Lot 176 DP 257253, Tumbarumba Road, Ladysmith

**Land Owners:**

Christopher and Kendra Webber

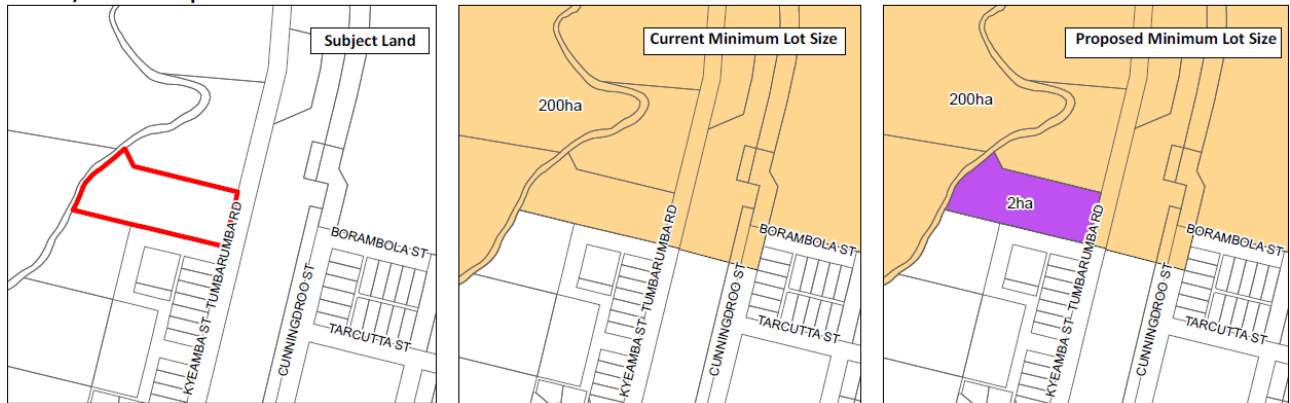
**Report**

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Council is in receipt of an application to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) to reduce the minimum lot size provisions applicable to Lot 176 DP 757253 from 200 hectares to 2 hectares.

The proposed outcome will be achieved by amending the minimum lot size map sheet LSZ\_004I as shown below:

## LEP19/0007 - Proposed reduction in minimum lot size



The application with justification and the assessment report is provided as attachment.

### Site and location

The subject site is located on the fringe of the Ladysmith village and is 2.44 hectares in size. The lot is currently zoned RU1 Primary Production but is not used for primary production purposes. The existing minimum lot size provisions for the site is 200 hectares. Immediately north of the subject lot is a 2.41-hectare lot with a dwelling and immediately south of the lot is a 1.59 hectare lot with a dwelling. To the west on the other side of Kyeamba Creek is a 40-hectare lot that forms part of a larger farm holding.

The site has direct access opportunities on both Tumbarumba Road and Keajura Street.

### Key considerations

#### 1. Future vision for Ladysmith:

The Ladysmith village has been identified in Council's Wagga Wagga Spatial Plan 2013-2043 for potential urban development in the locality of this lot. Growth in the village will provide additional population that will support the existing services within the village.

The village has a public school, post office, memorial hall and sewer services that will support growth.

#### 2. Reduction in agricultural land:

The land is not currently utilised for agricultural purposes and is surrounded by existing dwellings that would make agricultural uses difficult on the site as land use conflicts would likely arise. The lot is isolated from other agricultural holdings and is not of a size that is conducive to supporting agricultural activities.

#### 3. Services:

The Ladysmith village is serviced with sewer services, garbage services, water, public school and post office. The addition of one dwelling can be supported by these existing services.

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## Conclusion

The site has potential to support growth within the Ladysmith village consistent with the Wagga Wagga Spatial Plan 2013-2043. The reduction in minimum lot size will not enable any subdivision, it will enable one new dwelling on an existing lot.

The application has been considered in respect to the benefits of the community and the matters discussed in this report are all reflections of the public interest and community expectations through strategic direction and policy guiding documents. The planning proposal is supported for the following reasons:

- It complies with the provisions of the endorsed strategic documents including Riverina-Murray Regional Plan 2036 and Wagga Wagga Spatial Plan 2013-2043.
- It is consistent with relevant S9.1 Ministerial Directions.
- The investigation of the subject land provided with the application is enough to support the planning proposal and forward to the Department of Planning and Environment seeking Gateway Determination.

To comply with the NSW Department of Planning and Environment guidelines and to support the planning proposal, council staff will prepare an addendum to the application to include a proposed timeline and exhibition mapping prior to submitting for Gateway Determination.

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## Financial Implications

The planning proposal was submitted during the 2018/19 financial year and attracted a low complexity application fee of \$7,500. The application fee has been paid.

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## Policy and Legislation

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

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## Link to Strategic Plan

### The Environment

Objective: We plan for the growth of the city

Outcome: We have sustainable urban development

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## Risk Management Issues for Council

An approval of the proposal may be subject to public scrutiny during the public consultation period and may put additional pressure on Council to consider the reduction of minimum lot sizes for other parcels throughout the local government area.

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## Internal / External Consultation

No consultation has been undertaken for the planning proposal. Formal public consultation with the general public and referral agencies will occur as per the Gateway Determination.

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
<b>TIER</b>																	
<b>Consult</b>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>											<input checked="" type="checkbox"/>	

## Attachments

- 1 [↓](#). Application - LEP19/0007 - Lot 176 DP 257253, Tumbarumba Road, Ladysmith
- 2 [↓](#). Assessment Report - LEP19/0007 - Lot 176 DP 257253, Tumbarumba Road, Ladysmith

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**19/304 RESOLVED:**

On the Motion of Councillors K Pascoe and R Kendall

**That Council:**

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**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

Against the Motion