

# On exhibition – Draft Planning Proposal LEP20/0005

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## What is a planning proposal?

A planning proposal is a document sent to the NSW Department of Planning and Infrastructure by Council, requesting permission to amend Council's key planning instrument, the *Local Environmental Plan*. For Wagga, this is known as the *Wagga Wagga Local Environmental Plan 2010*, or commonly referred to as the Wagga Wagga 'LEP'. The LEP contains a series of clauses and maps and includes the zoning for all land within the Local Government Area.

## What are these amendments seeking to change?

This planning proposal is conducted in support of the Wagga Wagga Special Activation Precinct Master Plan. The Master Plan has recently been the subject of public exhibition and engagement activities conducted by the NSW Department of Planning, Industry and Environment (DPIE).

The aim of this planning proposal is to reduce the extent of potential future land use conflict arising at boundary areas of the Wagga Wagga Special Activation Precinct.

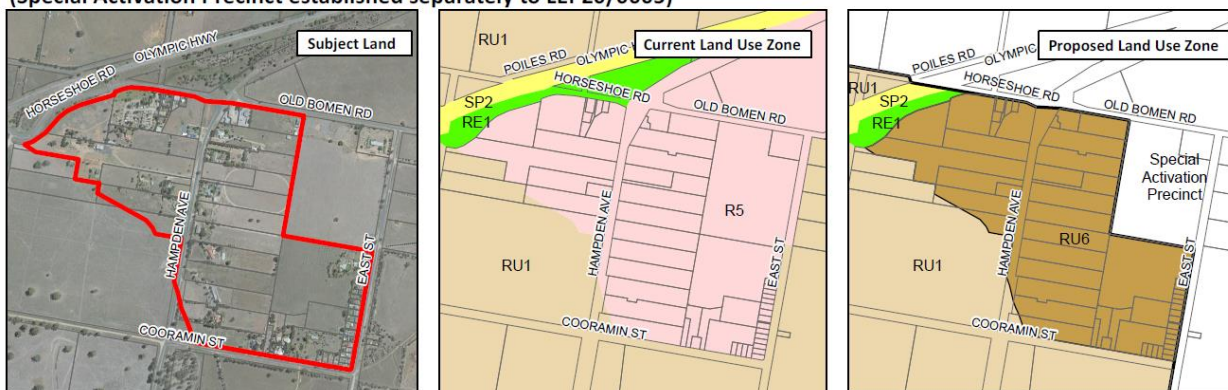
While provisions with this intent currently exists with Clause 7.8 of the Wagga Wagga LEP 2010 and have been required to be considered in current development applications, this planning proposal will ensure that the zoning and minimum lot size requirements are more clearly defined.

Specifically, this shall be achieved by:

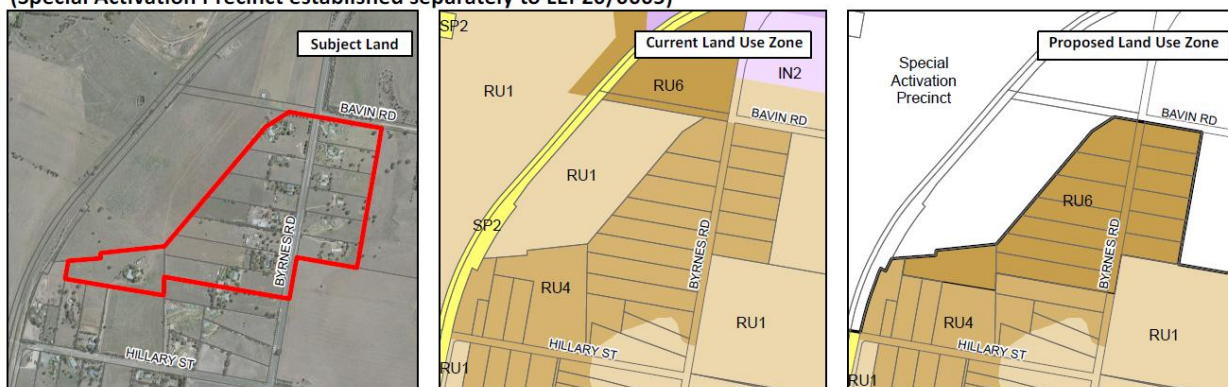
1. Rezoning land that adjoins the Wagga Wagga Special Activation Precinct at Cartwrights Hill from R5 Large Lot Residential to RU6 Transition.
2. Rezoning land that adjoins the Wagga Wagga Special Activation Precinct at Byrnes Road from RU4 Primary Production Small Lots to RU6 Transition.
3. Increasing the minimum lot size within these same subject land areas from 1ha and 2ha respectively to 200ha, with the exception of subject lands within Lot 101 DP 1095889.
4. Increasing the minimum lot size of subject lands within Lot 101 DP 1095889 from 2ha to 4ha.

The proposed Wagga Wagga Local Environmental Plan 2010 map changes required to implement these four items are illustrated overleaf:

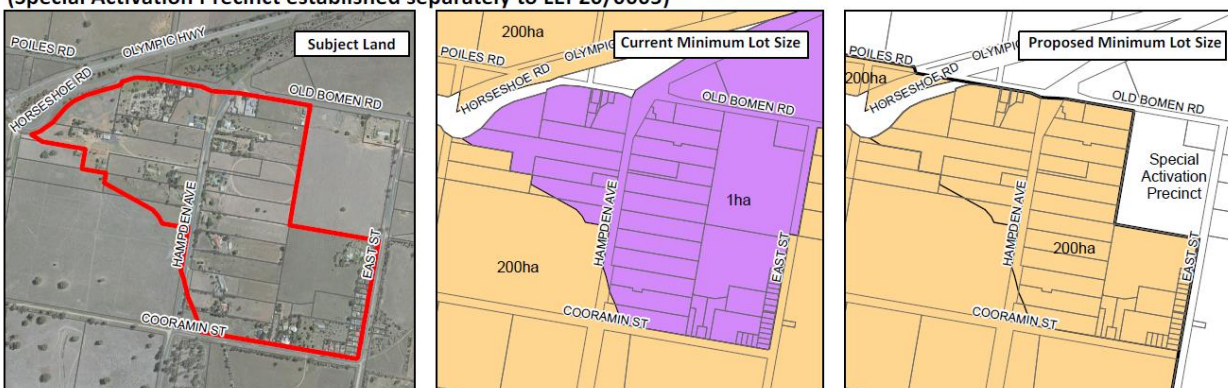
**LEP20/0005 - Proposed change to land use zone - Cartwrights Hill**  
**(Special Activation Precinct established separately to LEP20/0005)**



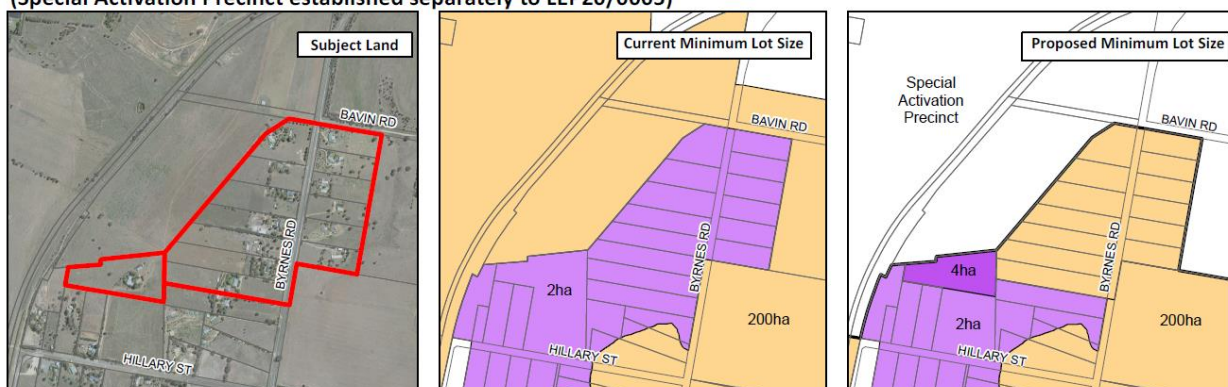
**LEP20/0005 - Proposed change to land use zone - Byrnes Road area, North Wagga Wagga**  
**(Special Activation Precinct established separately to LEP20/0005)**



**LEP20/0005 - Proposed change to minimum lot size requirement - Cartwrights Hill**  
**(Special Activation Precinct established separately to LEP20/0005)**



**LEP20/0005 - Proposed change to minimum lot size requirement - Byrnes Road area, North Wagga Wagga**  
**(Special Activation Precinct established separately to LEP20/0005)**



## How will this change affect individual properties?

To help identify the implications for individual properties, Council has assigned each affected lot to a category in a table provided at the end of this document. The category descriptions following describe the effect of the planning proposal on lots in that category. Find which category applies to a given lot by comparing its listing in the table to the relevant category.

The statements made for each category below refer to development possibilities which follow from a basic analysis of the minimum lot size and zoning provisions.

In addition to this, all development applications at present, and into the future, require more thorough consideration against Clause 7.8 of the Wagga Wagga Local Environmental Plan 2010. This includes available information about potential land use conflict such as the findings of the State Government's Wagga Wagga Special Activation Precinct Master Plan investigations.

### Cartwrights Hill – Category 1

- do not have a dwelling on the lot at present.
- will retain 'permissibility by consent' for a dwelling under provisions at Clause 4.2A of the Wagga Wagga LEP, but this will be subject to the full and proper consideration of Clause 7.8 of the Wagga Wagga LEP 2010.

### Cartwrights Hill – Category 2

- are smaller than the current minimum lot size requirement and cannot achieve further subdivision
- **will not** satisfy the new 200 Ha minimum lot size requirement, and will remain unable to achieve further subdivision
- a replacement dwelling for the existing approved dwelling will continue to be permissible
- dual occupancies are currently permissible alongside an existing dwelling, but **will not** be permissible within the new RU6 Transition zone

### Cartwrights Hill – Category 3

- are larger than the current 1 Ha minimum lot size requirement, but not large enough to achieve further subdivision
- **will not** satisfy the new 200 Ha minimum lot size requirement, and will remain unable to achieve further subdivision
- a replacement dwelling for the existing approved dwelling will continue to be permissible
- dual occupancies are currently permissible alongside the existing dwelling, but **will not** be permissible within the new RU6 Transition zone



#### Cartwrights Hill – Category 4

- are at least twice as large as the current 1 Ha minimum lot size requirement, meaning that ‘permissibility by consent’ exists for further subdivision at present.
- **will not** satisfy the new 200 Ha minimum lot size requirement and will be unable to achieve further subdivision as a result of the planning proposal.
- a replacement dwelling for the existing approved dwelling will continue to be permissible
- dual occupancies are currently permissible alongside the existing dwelling, but **will not** be permissible within the new RU6 Transition zone

#### Byrnes Road area – Category 3

- are larger than the current 2 Ha minimum lot size requirement, but not large enough to achieve further subdivision at present
- **will not** satisfy the new 200 Ha minimum lot size requirement, and will remain unable to achieve further subdivision
- a replacement dwelling for the existing approved dwelling will continue to be permissible
- dual occupancies are currently permissible alongside the existing dwelling, but **will not** be permissible within the new RU6 Transition zone

#### Byrnes Road area – Category 5

- only one single lot in this category, with one part inside the planning proposal area and another part outside
- the southern part of the lot outside the planning proposal area is not intended to be affected by the planning proposal
- a minimum lot size of 4 Ha is proposed for the northern part of the lot affected by the planning proposal, to enable this part to be subdivided in one piece separate from the southern ‘outside’ portion if desirable in future
- the northern part is about 5 Ha in size, and could be subdivided into two lots under the current 2 Ha minimum lot size requirement, but this **would not** be possible under the new 200 Ha minimum lot size requirement
- the southern ‘outside’ portion will have the same potential for subdivision as currently exists, with further subdivision possible.

The table indicating which category each lot is in is provided overleaf.

| CATEGORY 1       |   |                   |
|------------------|---|-------------------|
| Cartwrights Hill | Unnumbered battle-axe lot between 126 and 128 East Street | Lot 5 DP 856275   |
|                  | 39 Horseshoe Road   | Lot 11 DP 855048  |
|                  | 138 East Street   | Lot 3 DP 247907   |
|                  | 6 Old Bomen Road  | Lot 1 DP 623409   |
|                  | 425 Hampden Avenue  | Lot 2 DP 623409   |
|                  | Country Women's Association, Cooramin Street              | Lot 1 DP 161778   |
| CATEGORY 2       |   |                   |
| Cartwrights Hill | 6 Cooramin Street   | Lot 7 DP 259770   |
|                  | 8 Cooramin Street   | Lot 8 DP 259770   |
|                  | 10 Cooramin Street  | Lot 9 DP 259770   |
|                  | 12 Cooramin Street  | Lot 10 DP 259770  |
|                  | 22 Cooramin Street  | Lot 2 DP 631632   |
|                  | 24 Cooramin Street  | Lot 2 DP 602156   |
|                  | 28 Cooramin Street  | Lot 1 DP 631632   |
|                  | 396 Hampden Avenue  | Lot 1 DP 1251563  |
|                  | 13 Horseshoe Road   | Lot 5 DP 793950   |
|                  | 15 Horseshoe Road   | Lot 102 DP 846446 |
|                  | 17 Horseshoe Road   | Lot 101 DP 846446 |
|                  | 19 Horseshoe Road   | Lot 3 DP 793950   |
|                  | 21 Horseshoe Road   | Lot 2 DP 793950   |
|                  | 114 East Street   | Lot 6 DP 601879   |
|                  | 116 East Street   | Lot 5 DP 601879   |
|                  | 118 East Street   | Lot 4 DP 258515   |
|                  | 120 East Street   | Lot 3 DP 258515   |
|                  | 122 East Street   | Lot 2 DP 258515   |

|                         |                    |                    |
|-------------------------|--------------------|--------------------|
|                         | 124 East Street    | Lot 1 DP 258515    |
|                         | 126 East Street    | Lot 4 DP 856275    |
|                         | 128 East Street    | Lot 3 DP 590429    |
|                         | 130 East Street    | Lot 2 DP 590429    |
|                         | 132 East Street    | Lot 1 DP 590429    |
|                         | 134 East Street    | Lot 5 DP 247907    |
|                         | 136 East Street    | Lot 4 DP 247907    |
|                         | 140 East Street    | Lot 2 DP 247907    |
|                         | 142 East Street    | Lot 1 DP 247907    |
| <b>CATEGORY 3</b>       |                    |                    |
| <b>Cartwrights Hill</b> | 16 Cooramin Street | Lot 11 DP 259770   |
|                         | 24 Old Bomen Road  | Lot 2 DP 415023    |
|                         | 355 Hampden Avenue | Lot 2 DP 567848    |
|                         | 369 Hampden Avenue | Lot 1 DP 567848    |
|                         | 400 Hampden Avenue | Lot 2 DP 1251563   |
|                         | 403 Hampden Avenue | Lot 332 DP 1222713 |
|                         | 407 Hampden Avenue | Lot 331 DP 1222713 |
|                         | 417 Hampden Avenue | Lot 1 DP 734976    |
|                         | 420 Hampden Avenue | Lot 6 DP 793950    |
| <b>Byrnes Road area</b> | 111 Byrnes Road    | Lot 7 DP 238566    |
|                         | 117 Byrnes Road    | Lot 6 DP 238566    |
|                         | 121 Byrnes Road    | Lot 5 DP 238566    |
|                         | 126 Byrnes Road    | Lot 1 DP 815458    |
|                         | 128 Byrnes Road    | Lot 2 DP 815458    |
|                         | 135 Byrnes Road    | Lot 4 DP 238566    |
|                         | 136 Byrnes Road    | Lot 3 DP 815458    |
|                         | 145 Byrnes Road    | Lot 3 DP 238566    |
|                         | 150 Byrnes Road    | Lot 4 DP 815458    |

|                         |                    |                    |
|-------------------------|--------------------|--------------------|
|                         | 155 Byrnes Road    | Lot 2 DP 238566    |
|                         | 162 Byrnes Road    | Lot 5 DP 815458    |
|                         | 168 Byrnes Road    | Lot 7 DP 830963    |
|                         | 171 Byrnes Road    | Lot 1 DP 238566    |
| <b>CATEGORY 4</b>       |                    |                    |
| <b>Cartwrights Hill</b> | 144 East Street    | Lot 3 DP 631632    |
|                         | 48 Cooramin Street | Lot 25 DP 2655     |
|                         | 371 Hampden Avenue | Lot 28 DP 2655     |
|                         | 375 Hampden Avenue | Lot 29 DP 2655     |
|                         | 389 Hampden Avenue | Lot 30 DP 2655     |
|                         | 390 Hampden Avenue | Lot 18 DP 2655     |
|                         | 393 Hampden Avenue | Lot 31 DP 2655     |
|                         | 401 Hampden Avenue | Lot 32 DP 2655     |
|                         | 404 Hampden Avenue | Lot 1 DP 865515    |
|                         | 411 Hampden Avenue | Lot 2 DP 734976    |
|                         | 416 Hampden Avenue | Lot 15 DP 2655     |
|                         | 23 Horseshoe Road  | Lot 21 DP 869917   |
| <b>CATEGORY 5</b>       |                    |                    |
| <b>Byrnes Road area</b> | 59 Hillary Street  | Lot 101 DP 1095889 |

## Is more information available?

A consultation page has been established for this proposal:

[www.connect.wagga.nsw.gov.au/lep20-0005](http://www.connect.wagga.nsw.gov.au/lep20-0005)

This webpage provides all documentation related to the planning proposal for viewing and download and provides contact details for Council staff involved.

## I want to speak with someone about the proposed amendments, who can I contact?

You can call or visit Council to speak directly with one of Council's Strategic Planners. Council officers are available between 8.30am - 5pm Monday to Friday. It is recommended you call ahead to make an appointment with the relevant officer. Alternatively, you can call 1300 292 442 and speak with an officer over the phone.

## I want to provide comments on the proposed amendment. How do I do this and what is the process for considering comments received?

Any individual, organisation or group can provide comment on the proposed amendment. Comments must be made in writing, either via letter or email. Details of where to send comments are provided at the top of this fact sheet.

Exhibition Period: 16 October 2020 to 13 November 2020 (inclusive)

Submission Period: 16 October 2020 to 27 November 2020 (inclusive)

Submissions received will be considered following the close of the submission period. Submissions and consideration of submissions will be included in future reporting to Council about the planning proposal.

All submissions will be acknowledged by Council upon receipt. Submitters will also receive notification of the future Council meeting date where the planning proposal is to be considered.

### Get involved:

- View the consultation page
- [www.connect.wagga.nsw.gov.au/lep20-0005](http://www.connect.wagga.nsw.gov.au/lep20-0005).
- Have a look at the exhibition material
- Speak to the assigned officer, Adam Wood, by phoning 1300 292 442



For more information on the proposed amendments, please contact Council's strategic planning team:

- Phone: 1300 292 445
- Email: [council@wagga.nsw.gov.au](mailto:council@wagga.nsw.gov.au)