

P L A N N E D

Planning Proposal

Sunnyside Ventures Pty Ltd

Lots 23 & 25 DP757246, 'Sunny Side' Plumpton
Road, Rowan, NSW

PRESENTED: 01.03.2021 **RV:** Revised FINAL

Elizabeth Slapp RPIA
Senior town planner

ELIZABETH@PLANNED.NET.AU
W. PLANNED.NET.AU
M. 0457 786 776

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**Appendix A – Preliminary Assessment Report for Intended Planning
Proposal**

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1 Introduction

1.1 Commission

This Planning Proposal has been prepared by PLANNED on behalf of Sunnyside Ventures Pty Ltd (hereafter referred to as the Proponent) relating to Lots 23 and 25 DP757246 'Sunny Side' Plumpton Road, Rowan NSW (the subject site).

It is submitted to the Wagga Wagga City Council to accompany a request to amend the Wagga Wagga Local Environmental Plan 2010 in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979*.

This Planning Proposal includes the following:

- A statement of the objectives and intended outcomes of the proposed instrument,
- An explanation of the provisions that are to be included in the proposed instrument,
- The justification for those objectives, outcomes and the process for their implementation, and
- Maps, where relevant, to identify the intent of the Planning Proposal and the area to which it applies.

This Planning Proposal has been prepared having regard to ongoing discussions with Wagga Wagga City Council and 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Planning' published by the NSW Department of Planning, Industry and Environment (DPIE) dated December 2018.

This Planning Proposal also references the following documents:

- Relevant State Environmental Planning Policies and Section 9.1 Directions
- Wagga Wagga Local Environmental Plan 2010

- Wagga Wagga Local Strategic Planning Statement
- Riverina Murray Regional Plan 2036
- Wagga Wagga Community Strategic Plan 2040
- Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040
- Wagga Wagga Spatial Plan 2013 / 2043
- Preliminary Assessment Report for Intended Planning Proposal, prepared by NGH Consulting, dated October 2020 (hereafter referred to as the Preliminary Assessment Report) – included at **Appendix A**.
- Urban Design Report, prepared by SIVA Projects, dated September 2020 – included at **Appendix B**.
- Precinct Stormwater Drainage Strategy, prepared by WMA Water, dated January 2021 – included at **Appendix C**.
- Precinct Sewage Considerations, prepared by John Randall Consulting Pty Ltd, dated January 2021 – included at **Appendix D**.
- Precinct Traffic Considerations, prepared by John Randall Consulting Pty Ltd, dated January 2021 – included at **Appendix E**.
- Precinct Water Supply Considerations, prepared by John Randall Consulting Pty Ltd, dated February 2021 – included at **Appendix F**.

This Report concludes that the Planning Proposal should be supported and recommended to the NSW DPIE for Gateway Determination.

1.2 Background to this Planning Proposal

The land the subject of this Planning Proposal – Lots 23 and 25 DP757246, has a combined total area of approximately 110 hectares and is a likely remnant of a previously much larger and commercially viable agricultural property.

Following the adoption of the Wagga Wagga Spatial Plan in 2013, the subject land was identified as part of a southern investigation area for potential future development within a short to medium-term timeframe. The Local Strategic Planning Statement – Planning for the Future: Wagga Wagga 2040 (LSPS), which was adopted by Council on 8 February 2021, has since replaced the Spatial Plan and also provides an avenue for the consideration of growth in areas not specifically identified – provided that such growth is managed in line with the sustainable provision of infrastructure. In response to the LSPS (and Spatial Plan), the Proponent has worked in close collaboration with team of technical consultants to prepare a concept re-zoning and future development scheme that is sustainable and sympathetic to the environmental and biodiversity attributes of the land.

Specifically, the proposed scheme will avoid land identified as being unsuitable for the future residential development and will conserve the bulk of the land with environmental and biodiversity value within a large network of public open space – proposed to be zoned RE1 Public Recreation. The balance of the land that is noted to be of low environmental significance is proposed to be zoned R5 Large Lot Residential so as to accommodate a sympathetic extension to the Wagga Wagga urban area. The RE1 Public Recreation Zone is proposed to maintain the existing 200-hectare minimum lot size control, whilst the R5 Large Lot Residential Zone is proposed to have a minimum lot size control of 1,000m².

Together with their consultant team, the Proponent has had continual dialogue with officers representing Wagga Wagga City Council. This ongoing correspondence has been critical in understanding and resolving matters of concern and in preparing a concept re-zoning and development scheme that provides certainty for all stakeholders and warrants their support. Importantly, this has included refinement of the areas proposed to be zoned RE1 Public Recreation, investigations into the provision of services infrastructure across a wider southern precinct covering an area of approximately 1,100 hectares, and a precinct-wide urban design response to demonstrate the feasibility of sustainable connectivity. The results of these additional investigations are included in the current Planning Proposal for information purposes only. It is emphasised that the current Planning Proposal only relates to the subject land, being Lots 23 and 25 DP757246. It does not include the balance of the land within the nominated 'southern precinct', which would likely be the subject of separate Planning Proposals in the future.

In preparing this Planning Proposal, the Proponent seeks to contribute to Wagga Wagga and the surrounding areas via a sensitive and staged development of the site. As such, this proposal will support the Wagga Wagga community through benefits such as, the on-going availability of highly sought-after large lot residential living options, environmental preservation and retained and added public amenity, including the provision of a large network of public open space with opportunities for active and passive outdoor recreation and relaxation.

An illustration of the Proponent's vision for the site is attached to this Planning Proposal for information purposes only (refer to **Appendix B**). It is important to note that detailed subdivision layout and design would be the subject of a separate Development Application following the favourable determination of this re-zoning proposal.

2 Site Analysis

This Section of the Report describes the regional location of the subject land, its physical characteristics, adjoining development and the character of the locality.

2.1 Regional Site Location

The land the subject of this Planning Proposal is situated approximately 7km to the south of the Wagga Wagga city centre within the Wagga Wagga City Council local government area (LGA). It is noted to be well connected to a system of sub-arterial roads and State highways that provide direct access to regional town centres as well as Sydney, Canberra and Melbourne. For instance, the subject land is noted to be approximately:

- 100km east of Narrandera
- 85km west of Gundagai
- 40km south of Junee
- 80km north of Holbrook
- 130km north of Albury
- 460km southwest of Sydney
- 250km west of Canberra
- 450km northeast of Melbourne

The regional site location is depicted in **Figure 1** below.

2.2 Site Description and Surrounding Development Context

The subject site is legally described as Lots 23 and 25 DP757246 Plumpton Road, Rowan NSW. Collectively, the subject site is a rectangular shaped parcel of land that has an area of approximately 110 hectares. The site has frontages to Plumpton Road east measuring approximately 675 metres, Rowan Road east and south measuring approximately 575 metres and 900 metres respectively. The subject land supports an existing rural dwelling and a number of ancillary outbuildings, including a detached studio, barn and stables as well as a derelict worker's dwelling and woolshed. These buildings and structures are generally clustered in the northeast portion of the site.

The subject land has had a long history of agricultural use, which has altered the original woodland vegetation through successive years of intensive plant agriculture – cropping, pasture improvement, livestock grazing and weed management. This has included the removal of the native shrub layer and simplification of the ground layer. Some areas in the northern and western paddocks, which have a recent history of cropping during drought conditions, are dominated by exotic species in the ground layer.

The subject land is traversed by two defined watercourses that convey water through the site from external catchments. Stringybark Creek traverses the southeast corner of the subject site and an unnamed watercourse traverses the central portion of the site from west to east. In response to the site's undulating landform, there are a number of existing farm dams that have been constructed to the support the agricultural use of the land.

The subject land comprises a range of slope gradients, ranging from flat to very gentle (i.e. 0 – 5%) for the majority of the site to moderately sloping (i.e. 10 – 15%+) along the watercourses.

Under the provisions of the Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010), the subject land is zoned RU1 Primary production and has a corresponding minimum lot size for the purpose of erecting a dwelling and/or conventional (Torrens title) subdivision of 200 hectares. The WWLEP 2010 also acknowledges that the land has terrestrial biodiversity values and is traversed by riparian lands and waterways. It is noted that the subject land is not identified as being bushfire prone or vulnerable land, being slopes greater than 25%, high proportion of rock outcropping, high erosion potential, soil salinity or impeded drainage, and/or subject to regular or permanent inundation.

Key features of the locality surrounding the subject site, include:

- Land adjoining to the north is zoned R5 Large Lot Residential and has a corresponding minimum lot size control of 2 and 8 hectares. It is currently utilised for rural living and lifestyle purposes and is characterised by a rural residential lot pattern offering a variety in lot shapes and sizes. Dwellings of various architectural style and age are present together with established rural/landscaped surrounds.
- Adjoining and adjacent land to the east, west and south is zoned RU1 Primary Production and has a corresponding minimum lot size control of 200 hectares. It is currently utilised for agricultural pursuits and rural living.

Figure 2 shows the site in its local context.

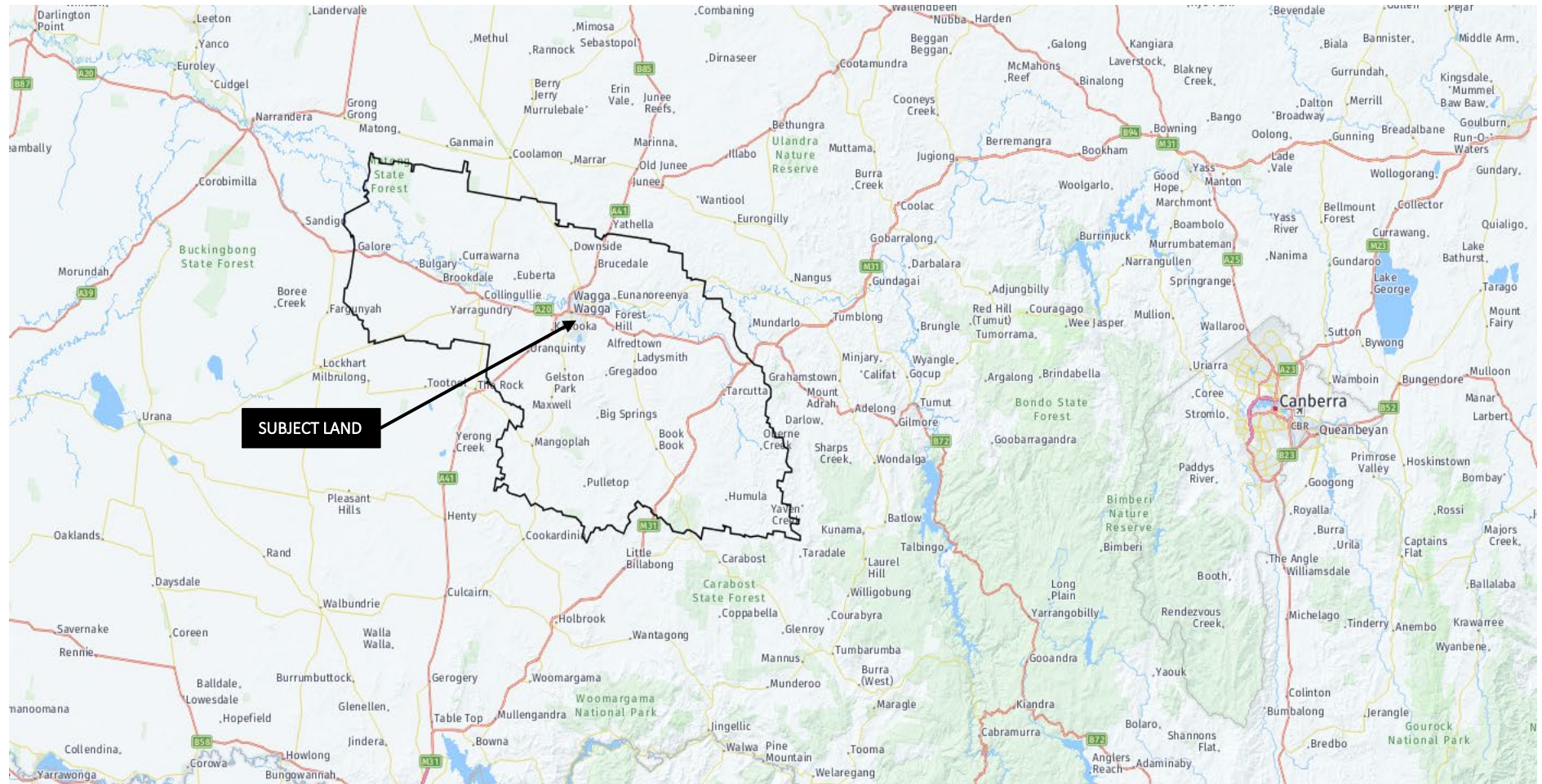


Figure 1: Regional Site Context (<https://profile.id.com.au/wagga-wagga>, December 2020)

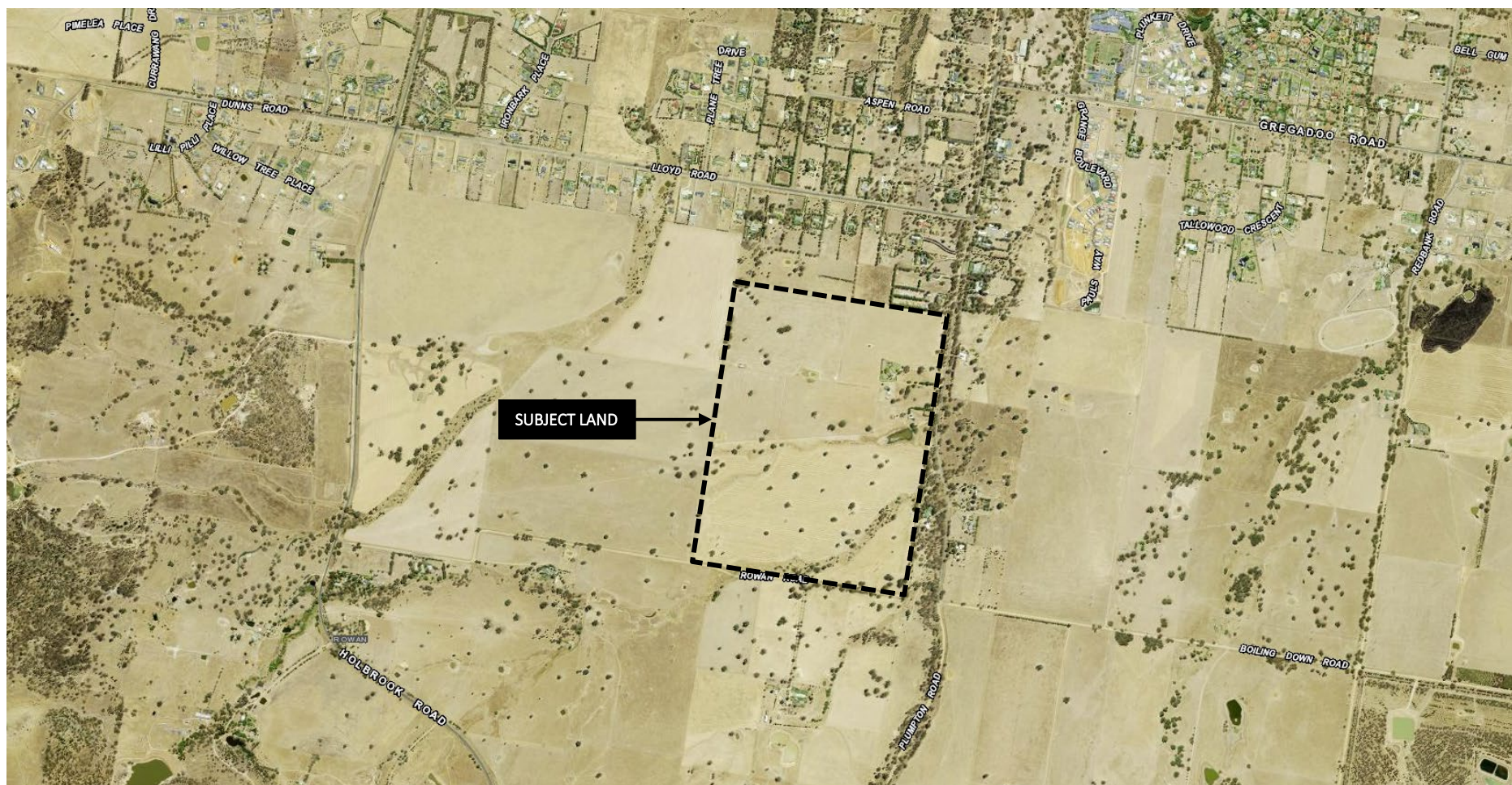


Figure 2: Local Site Context (<https://maps.six.nsw.gov.au/>, December 2020)

3 Current Planning Controls

3.1 Wagga Wagga Local Environmental Plan 2010

The principal planning instrument applying to the subject land is the Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010). This is the statutory planning instrument that establishes the form of development and land use activities on all land within the Wagga Wagga LGA. The WWLEP 2010 was gazetted on 16 July 2010.

The land the subject of this Planning Proposal is currently zoned RU1 Primary Production (refer to **Figure 3** below).

The key WWLEP 2010 planning controls that apply to the subject land are detailed within the Table below and apply to both the current and proposed land use zones and activities provided for as part of this Planning Proposal.

Table 1: Relevant WWLEP 2010 Planning Controls

Clause	Matter	Requirement
Part 2 Permitted or prohibited development		
2.2	Zoning of land to which Plan applies	The zoning of the subject land is shown on the Land Zoning Map (Tile LZN_004E). Refer to the extract at Figure 3 below.
2.3	Zone objectives and land use table	<p>Zone RU1 Primary Production</p> <p>1. Objectives of the Zone</p> <ul style="list-style-type: none"> To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. To encourage diversity in primary industry enterprises and systems appropriate for the area. To minimise the fragmentation and alienation of resource lands. To minimise conflict between land uses within this zone and land uses within adjoining zones. To foster strong, sustainable rural community lifestyles. To maintain the rural landscape character of the land. To allow tourist and visitor accommodation only where it is in association with agricultural activities. <p>2. Permitted without consent</p> <p>Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Roads</p> <p>3. Permitted with consent</p> <p>Aquaculture; Bed and breakfast accommodation; Cellar door premises; Dual occupancies; Dwelling houses; Extractive industries; Farm buildings; Farm stay accommodation; Hardware and building supplies; Home industries; Intensive livestock agriculture; Intensive plant agriculture; Markets; Open cut mining; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Timber yards; Any other development not specified in item 2 or 4.</p>

Clause	Matter	Requirement
		<p>4. Prohibited</p> <p>Airports; Amusement centres; Camping grounds; Caravan parks; Commercial premises; Crematoria; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial training facilities; Industries; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential accommodation; Restricted premises; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies</p> <p>Zone R5 Large Lot Residential</p> <p>1. Objectives of the zone</p> <ul style="list-style-type: none"> To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. To minimise conflict between land uses within this zone and land uses within adjoining zones. To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable. <p>2. Permitted without consent</p> <p>Home businesses; Home occupations; Roads</p> <p>3. Permitted with consent</p> <p>Dwelling houses; Hardware and building supplies; Home industries; Neighbourhood shops; Oyster aquaculture; Rural supplies; Pond-based aquaculture; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Any other development not specified in item 2 or 4</p> <p>4. Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hotel or motel accommodation; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Multi dwelling housing; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies</p> <p>Zone RE1 Public Recreation</p> <p>1. Objectives of the zone</p> <ul style="list-style-type: none"> To enable land to be used for public open space or recreational purposes.

Clause	Matter	Requirement
		<ul style="list-style-type: none"> ▪ To provide a range of recreational settings and activities and compatible land uses. ▪ To protect and enhance the natural environment for recreational purposes. ▪ To protect and enhance the natural environment generally and to assist in ensuring that areas of high ecological, scientific, cultural or aesthetic values are maintained or improved. <p>2. Permitted without consent</p> <p>Environmental facilities; Environmental protection works; Roads</p> <p>3. Permitted with consent</p> <p>Aquaculture; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Depots; Entertainment facilities; Flood mitigation works; Function centres; Helipads; Information and education facilities; Jetties; Kiosks; Markets; Marinas; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Sewerage systems; Signage; Water recreation structures; Water supply systems; Wharf or boating facilities</p> <p>4. Prohibited</p> <p>Any development not specified in item 2 or 3</p>
2.6	Subdivision – consent requirements	Land to which this Plan applies may be subdivided , but only with development consent.
Part 4 Principal development standards		
4.1	Minimum subdivision lot size	<p>The size of any lot resulting from a subdivision of land is not to be less than the minimum size shown on the Lot Size Map.</p> <p>The Lot Size Map indicated a minimum lot size of 200 hectares for the subject land.</p> <p>This clause does not apply in relation to the subdivision of any land—</p> <ul style="list-style-type: none"> a) by the registration of a strata plan or strata plan of subdivision under the <i>Strata Schemes Development Act 2015</i>, or b) by any kind of subdivision under the <i>Community Land Development Act 1989</i>.
4.1AA	Minimum subdivision lot size for community title schemes	The size of any lot resulting from a subdivision of land is not to be less than the minimum size shown on the Lot Size Map.
4.2	Rural subdivision	Land may, with development, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land. However, such a lot cannot be created if an existing dwelling would, as a result of the subdivision be situated on the lot. A dwelling cannot be erected on such a lot.
4.2A	Erection of dwelling houses and dual occupancies on land in certain residential, rural and environmental protection zones	<p>3. Development consent must not be granted for the erection of a dwelling house or a dual occupancy on a lot in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the lot is—</p> <ul style="list-style-type: none"> a) a lot that is at least the minimum lot size specified for that lot by the Lot Size Map, or b) a lot created before this Plan commenced and on which the erection of a dwelling house or dual occupancy was permissible immediately before that commencement, or

Clause	Matter	Requirement
		<ul style="list-style-type: none"> c) a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement, or d) a lot resulting from a subdivision for which development consent (or equivalent) was granted before <i>Wagga Wagga Local Environmental Plan 2010 (Amendment No 13)</i> commenced and on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement, or e) an existing holding to which the Wagga Wagga Rural Local Environmental Plan 1991 applied. <p>4. Land ceases to be an existing holding for the purposes of subclause (3)(d) if an application for development consent as referred to in that subclause is not made in relation to that land within 12 months from the day this Plan commences.</p> <p>5. Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies if—</p> <ul style="list-style-type: none"> a) there is a lawfully erected dwelling house or dual occupancy on the land and the dwelling house or dual occupancy to be erected is intended only to replace the existing dwelling house or dual occupancy, or b) the land would have been a lot or a holding referred to in subclause (3) had it not been affected by— <ul style="list-style-type: none"> i. a minor realignment of its boundaries that did not create an additional lot, or ii. a subdivision creating or widening a public road or public reserve or for another public purpose.
4.6	Exceptions to development standards	<p>1. The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances. <p>2. Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p> <p>3. Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—</p> <ul style="list-style-type: none"> a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and b) that there are sufficient environmental planning grounds to justify contravening the development standard. <p>4. Development consent must not be granted for development that contravenes a development standard unless—</p> <ul style="list-style-type: none"> a) the consent authority is satisfied that— <ul style="list-style-type: none"> i. the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and ii. the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and b) the concurrence of the Planning Secretary has been obtained.

Clause	Matter	Requirement
		<p>5. In deciding whether to grant concurrence, the Planning Secretary must consider—</p> <ul style="list-style-type: none"> a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and b) the public benefit of maintaining the development standard, and c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence. <p>6. Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—</p> <ul style="list-style-type: none"> a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard. <p>7. After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).</p> <p>8. This clause does not allow development consent to be granted for development that would contravene any of the following—</p> <ul style="list-style-type: none"> a) a development standard for complying development, b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is situated, c) clause 5.4, d) clause 4.2A, 4.2B, 6.1, 6.2 or 7.10.
Part 5 Miscellaneous provisions		
5.16	Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones	<p>3. A consent authority must take into account the matters specified in subclause (4) in determining whether to grant development consent to development on land to which this clause applies for either of the following purposes—</p> <ul style="list-style-type: none"> a) subdivision of land proposed to be used for the purposes of a dwelling, b) erection of a dwelling. <p>4. The following matters are to be taken into account—</p> <ul style="list-style-type: none"> a) the existing uses and approved uses of land in the vicinity of the development, b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development, c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b), d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

Clause	Matter	Requirement
Part 6 Urban release areas		
6.1	Arrangements for designated State public infrastructure	<ol style="list-style-type: none"> 2. Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot. 3. If there was no minimum lot size specified for the land immediately before the land became, or became part of, an urban release area, development consent must not be granted for the subdivision of the land unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot. 4. Subclause (2) does not apply to— <ol style="list-style-type: none"> a) any lot identified in the certificate as a residue lot, or b) any lot created by a subdivision previously consented to in accordance with this clause, or c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.
6.2	Public utility infrastructure	<ol style="list-style-type: none"> 1. Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. 2. This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.
6.3	Development control plan	<ol style="list-style-type: none"> 1. The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land. 2. Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land. 3. The development control plan must provide for all of the following— <ol style="list-style-type: none"> a) a staging plan for the timely and efficient release of urban land, including planning for necessary infrastructure and sequencing, b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists, c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain, d) a network of passive and active recreational areas, e) stormwater and water quality management controls,

Clause	Matter	Requirement
		<ul style="list-style-type: none"> f) amelioration of natural and environmental hazards, including bush fire, flooding, site contamination, and urban soil salinity, g) detailed urban design controls for significant development sites, h) measures to encourage higher density living around transport, open space and service nodes, i) measures to accommodate and control appropriate neighbourhood commercial and retail uses, j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking. <p>4. Subclause (2) does not apply to any of the following development—</p> <ul style="list-style-type: none"> a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots, b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose, c) a subdivision of land in a zone in which the erection of structures is prohibited, d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.
Part 7 Additional local provisions		
7.2	Flood planning	<p>2. This clause applies to—</p> <ul style="list-style-type: none"> a) land that is shown as “Flood planning area” on the <i>Flood Planning Map</i>, and b) other land at or below the flood planning level. <p>3. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <ul style="list-style-type: none"> a) is compatible with the flood hazard of the land, and b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and c) incorporates appropriate measures to manage risk to life from flood, and d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
7.3	Biodiversity	<p>2. This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.</p> <p>3. Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters—</p> <ul style="list-style-type: none"> a) any potential adverse impact of the proposed development on any of the following— <ul style="list-style-type: none"> i. a native vegetation community, ii. the habitat of any threatened species, population or ecological community,

Clause	Matter	Requirement
		<ul style="list-style-type: none"> iii. a regionally significant species of plant, animal or habitat, iv. a habitat corridor, v. a wetland, vi. the biodiversity values within a reserve, including a road reserve or a stock route, b) any proposed measures to be undertaken to ameliorate any such potential adverse impact. <p>4. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is consistent with the objectives of this clause and—</p> <ul style="list-style-type: none"> a) the development is designed, sited and managed to avoid any potential adverse environmental impact, or b) if a potential adverse impact cannot be avoided, the development— <ul style="list-style-type: none"> i. is designed and sited so as to have minimum adverse impact, and ii. incorporates effective measures so as to have minimal adverse impact, and iii. mitigates any residual adverse impact through the restoration of any existing disturbed or modified area on the site.
7.5	Riparian lands and waterways	<p>2. This clause applies to all of the following—</p> <ul style="list-style-type: none"> a) land identified as “Water” on the Water Resource Map, b) land identified as “Waterway” on that map, c) all land that is within 40 metres of the bank or shore (measured horizontally from the top of the bank or shore) of each waterway on land identified as “Waterway” on that map. <p>3. Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters—</p> <ul style="list-style-type: none"> a) any potential adverse impact on any of the following— <ul style="list-style-type: none"> i. water quality within the waterway, ii. aquatic and riparian habitats and ecosystems, iii. stability of the bed, shore and banks of the waterway, iv. the free passage of fish and other aquatic organisms within or along the waterway, v. habitat of any threatened species, population or ecological community, b) whether or not it is likely that the development will increase water extraction from the waterway for domestic or stock use and the potential impact of any extraction on the waterway, c) proposed measures to ameliorate any potential adverse impact.

Clause	Matter	Requirement
		<p>4. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is consistent with the objectives of this clause and—</p> <p>a) the development is designed, sited and managed to avoid any potential adverse environmental impact, or</p> <p>b) if a potential adverse impact cannot be avoided, the development—</p> <p>i. is designed and sited so as to have minimum adverse impact, and</p> <p>ii. incorporates effective measures so as to have minimal adverse impact, and</p> <p>iii. mitigates any adverse impact through the restoration of any existing disturbed area on the land.</p>

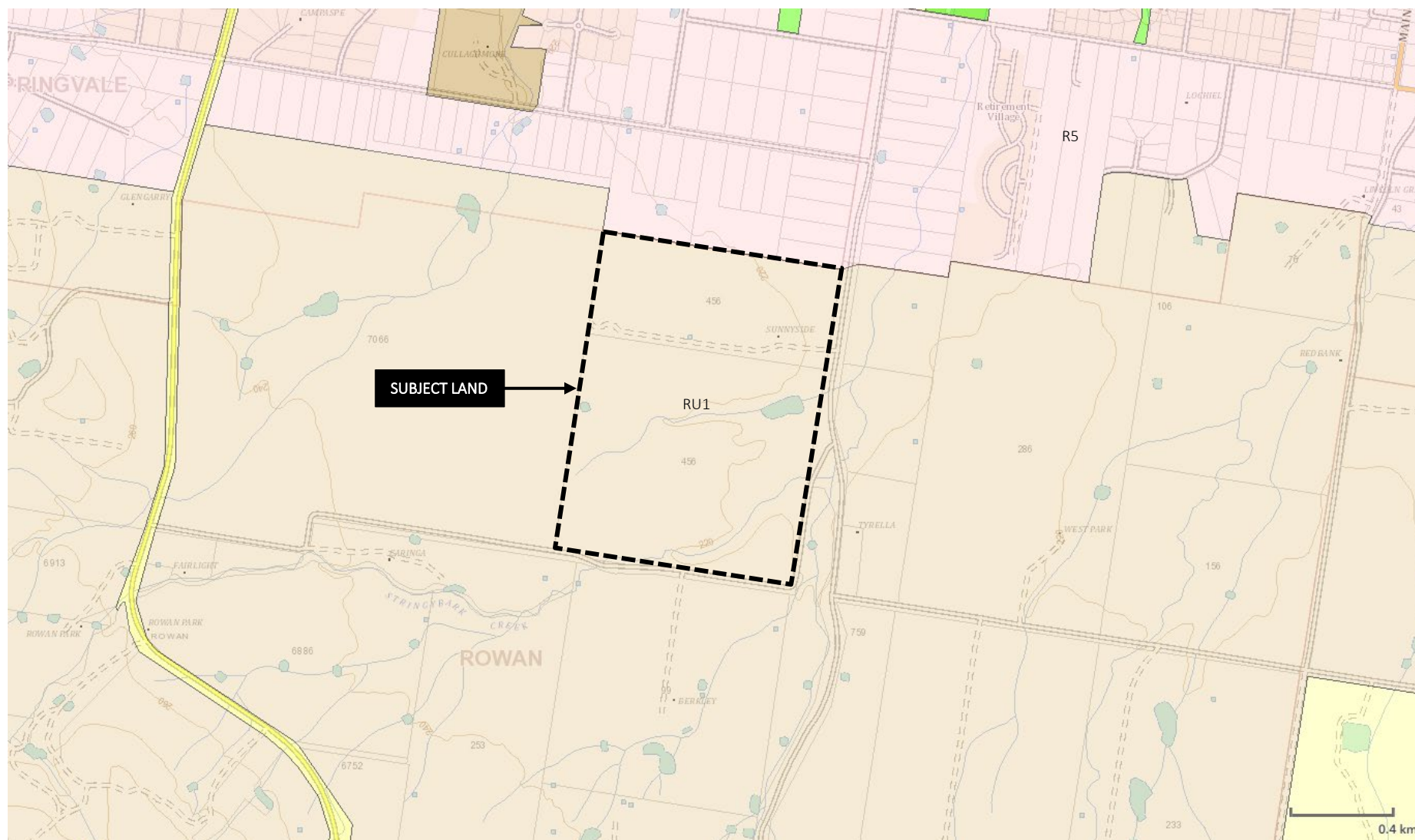


Figure 3: Current Zoning Under the WWLEP 2010 (<https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/lot>, December 2020)

4 Planning Proposal

4.1 Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to re-zone privately owned land from RU1 Primary Production to part R5 Large Lot Residential and part RE1 Public Recreation.

4.2 Part 2 – Explanation of Provisions

This Planning Proposal is seeking amendment to the WWLEP 2010 to permit future subdivision and residential development on Lots 23 and 25 DP757246. This will be achieved by:

- Amending Map Sheet LZN_004E for land within the subject site to replace the existing RU1 Primary Production Zone with part R5 Large Lot Residential and part RE1 Public Recreation with area specific minimum lot size requirements.
- Amending Map Sheet LSZ_004E for land within the subject site to replace the existing (AE) 200-hectare minimum lot size with the following:

- (U1) 1,000m² minimum lot size for that part of the land proposed to be zoned R5 Large Lot Residential.

NOTE: Whilst the Planning Proposal seeks to adopt a 1,000m² minimum lot size for part of the land, it is the Proponent's vision that the future subdivision of the land would comprise variably sized allotments ranging between 1,000m² to 1,300m²+ so as to achieve a high-quality large lot residential outcome and to reflect site-specific environmental attributes (i.e., the retention of significant native vegetation).

NOTE: For that part of the land proposed to be zoned as RE1 Public Recreation, it is intended that the exiting (AE) 200-hectare minimum lot size provision would continue to apply.

- Preparing a new Urban Release Area Map Sheet that identifies the land within the subject site as being within an Urban Release Area (URA).

NOTE: Based on the information contained within this Planning Proposal submission, it is recommended that Wagga Wagga City Council consider the application of the URA overlay to a broader southern precinct (inclusive of the subject land) so as to provide greater certainty for the provision of infrastructure to the south of the Wagga Wagga city centre.

- With the exception of the amendments documented above, retain the existing land use tables and controls governing subdivision, the erection of dwellings and environmental integrity as prescribed by the provisions of the WWLEP 2010 (as detailed at **Section 3** above).

Overall, the current Planning Proposal is a product of ensuring consistency in the future application of the minimum lot size requirements as relevant to each specific zone in the future subdivision and the development of the land. Specifically, the current Planning Proposal is noted to be consistent with the provisions applied to adjacent land within Springvale and Lake Albert.

4.3 Part 3 – Justification

4.3.1 Section A – Need for the Planning Proposal

4.3.1.1 Is the Planning Proposal a result of any strategic study or report?

Yes. This Planning Proposal responds to the strategic direction detailed in the Wagga Wagga Local Strategic Planning Statement – Planning for the Future: Wagga Wagga 2040 as detailed below.

Local Strategic Planning Statement – Planning for the Future: Wagga Wagga 2040

The Local Strategic Planning Statement – Planning for the Future: Wagga Wagga 2040 (LSPS) was adopted by Wagga Wagga City Council on 8 February 2021.

The purpose of the LSPS is to provide clear direction for the long-term growth and development within the Wagga Wagga City Council LGA. The LSPS's key focus is to find a balance between growth, the natural environment, sustainability and liveability whilst enabling Wagga Wagga to emerge as the southern capital of NSW.

The LSPS is an action-focussed plan, which builds on, updates and replaces the Wagga Wagga Spatial Plan 2013/2043. It identifies eleven (11) key principles set out under three (3) key themes, being 'The Environment', 'Growing Economy' and 'Community Place and Identity' and provides key actions that would be undertaken to ensure Wagga Wagga remains an 'excellent place to live, work and play with access to employment, recreation and services for all residents'.

The subject land is identified in the LSPS as being within an area whereby growth is to be managed in line with the sustainable provision of infrastructure (refer to **Figure 4**). As outlined below, the current Planning Proposal would not be inconsistent with the guiding principles and actions of the LSPS as it would facilitate the sustainable and progressive subdivision and release of land for residential purposes.

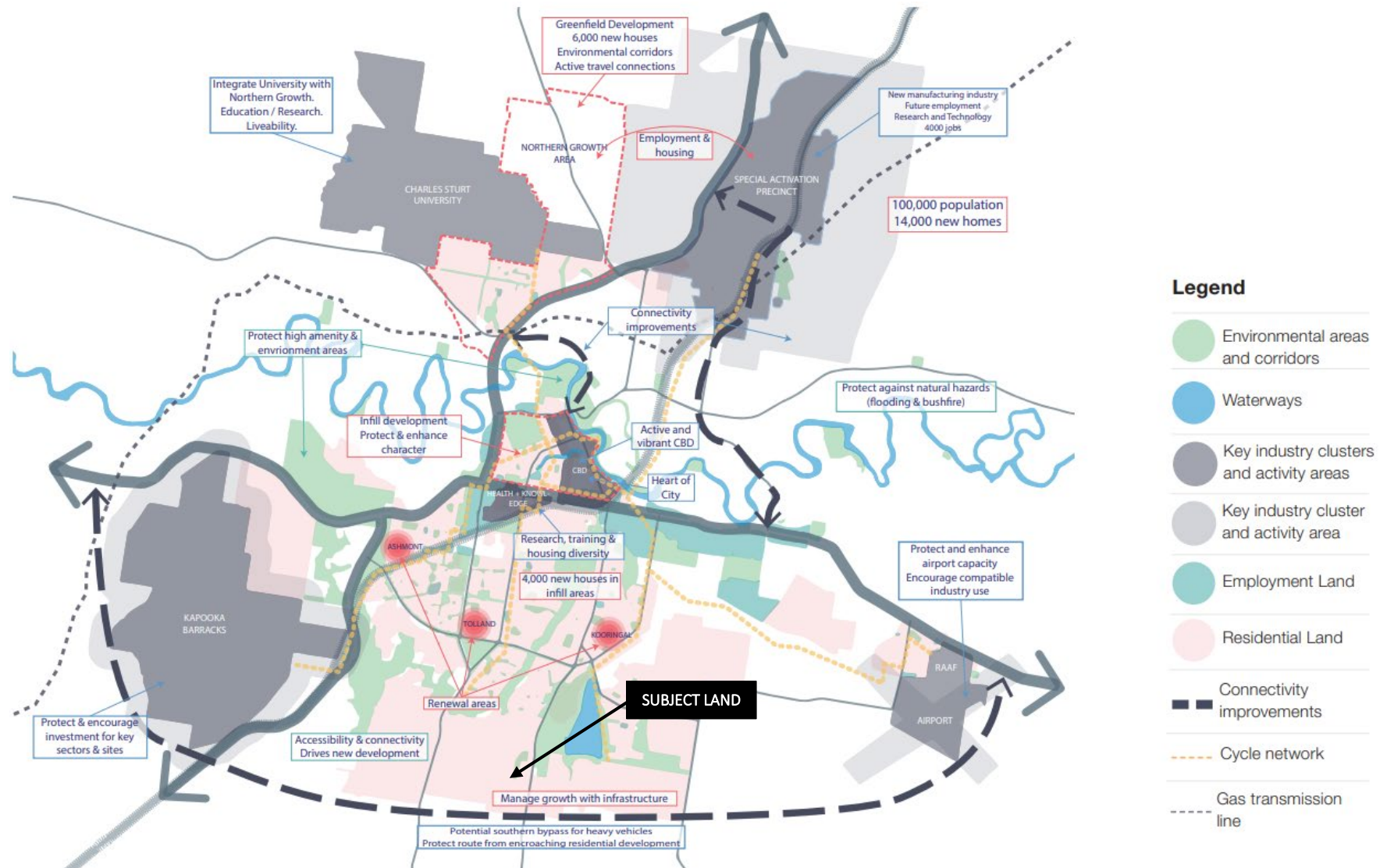


Figure 4: Extract from the LSPS

LSPS THEME 1 – The Environment

Principles

1. **Protect and enhance natural areas**
2. **Increase resilience to natural hazards and land constraints**
3. **Manage growth sustainably**

Relevant Actions	Response
<p>ENV 1 – Development integrates, protects and enhances high value biodiversity and natural areas, environmental corridors, open space and parklands based on the hierarchy of 'protect, minimise, mitigate and offset'.</p>	<p>Not inconsistent.</p> <p>A preliminary Biodiversity Assessment was conducted by NGH Consulting and is included at Appendix C of the Preliminary Assessment Report, which is included as part of this Planning Proposal (refer to Appendix A).</p> <p>The preliminary Biodiversity Assessment concludes that there is unlikely to be any significant adverse effect to threatened species, populations or ecological communities as a result of the current Planning Proposal. Notwithstanding, the Assessment notes that any future development application for the subdivision of the land would need to be accompanied by a Biodiversity Assessment Development Report (BDAR) prepared in accordance with the relevant provisions of the <i>Biodiversity Conservation Act 2016</i> and <i>Environment Protection and Conservation Act 1999</i>.</p> <p>Furthermore, the areas of biodiversity value identified by NGH Consulting are proposed to be protected through the application of the RE1 Public Recreation Zone to part of the subject land.</p> <p>As demonstrated in the Urban Design Report prepared by SIVA Projects (refer to Appendix B), the areas proposed to be zoned RE1 Public Recreation would create a strong environmental network providing opportunities for active and passive outdoor recreation and relaxation. In the future, these areas could form part of a larger interconnected network of public open space aligning with areas of environmental value to the north, east and west (refer to the precinct urban design response at pages 34-36 of the Urban Design Report).</p> <p>Refer to Section 4.3.3.1 for further details regarding biodiversity matters.</p> <p>NOTE: As the DPIE is likely to request that the BDAR be provided as part of the Gateway / Agency consultation process, the Proponent is now seeking to engage a suitably qualified consultant to complete the BDAR following the formal lodgement of this Planning Proposal to Wagga Wagga City Council.</p>

Relevant Actions	Response
ENV 2 – Consider and pursue biodiversity outcomes through a range of methods.	<p>Not inconsistent.</p> <p>The preliminary Biodiversity Assessment conducted by NGH Consulting acknowledges that any future development application for the subdivision of the land would need to be accompanied by a BDAR prepared in accordance with the relevant provisions of the <i>Biodiversity Conservation Act 2016</i> and <i>Environment Protection and Conservation Act 1999</i>. As part of that process, methods to manage and/or mitigate the level of impact would be investigated – including sustainable subdivision design, biodiversity stewardship agreements and offsets (as required).</p> <p>The current Planning Proposal would not be inconsistent with this Action as there is no intent to remove or alter any existing statutory obligation to consider the potential impact of development on biodiversity. Such obligations would be considered as part of any future Development Application for the subdivision of the land.</p> <p>Refer to Section 4.3.3.1 for further details regarding biodiversity matters.</p> <p>NOTE: As the DPIE is likely to request that the BDAR be provided as part of the Gateway / Agency consultation process, the Proponent is now seeking to engage a suitably qualified consultant to complete the BDAR following the formal lodgement of this Planning Proposal to Wagga Wagga City Council.</p>
ENV 7 – Improve environmental outcomes through the use of water sensitive urban design outcomes.	<p>Not inconsistent.</p> <p>There are two (2) existing watercourses that traverse the subject site, being Stringybark Creek and an unnamed waterway, which convey water through the site from external catchments.</p> <p>As detailed in the Urban Design Report prepared by SIVA Projects (refer to Appendix B), the existing flows within these waterways would be modified by the inclusion of detention basins, which would dissipate high energy flows and thus any potential for adverse erosion impacts. In addition to this, to reinforce water quality and quantity targets, an appropriate treatment train would be adopted, inclusive of water sensitive urban design (WSUD) features such as bio-retention basins and 5,000L rainwater tanks for each future dwelling.</p> <p>The current Planning Proposal would not be inconsistent with this Action as sustainable subdivision design, inclusive of WSUD features, would involve detailed evaluation and determination as part of any future Development Application process.</p>
ENV 9 – Future development connects to and supports the Wagga Wagga active travel network.	<p>Not inconsistent.</p> <p>It is noted that Wagga Wagga City Council has developed an Active Travel Plan to guide the future planning and provision of cycling infrastructure in the Wagga Wagga urban area. The Active Travel Plan adopts an integrated approach to infrastructure development with other transport modes and is an extract from the Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040 (refer to Section 4.3.2.2 below).</p>

Relevant Actions	Response
	<p>As detailed in the Active Travel Plan, there is an existing cycleway/shared path along Plumpton Road, which connects to the existing cycleway network within the city centre. The closest connection point to the existing Plumpton Road cycleway/shared path is approximately 1.75km to the north of the subject site.</p> <p>Should the current Planning Proposal come to fruition, the Urban Design Report prepared by SIVA Projects, demonstrates that a network of pedestrian footpaths and cycleways would be provided – inclusive of a connection to the Plumpton Road cycleway/shared path to the north.</p> <p>This future network would seek to:</p> <ul style="list-style-type: none"> ▪ Expand the reach of the existing active travel network within Wagga Wagga. ▪ Reduce the reliance on the use of private motor vehicles and encourage walking, cycling and the use of public transport. ▪ Provide connections and ease of movement between the city centre and the future neighbourhood – as well as within the future neighbourhood and to possible future developments to the north, east and west.

LSPS THEME 2 – Growing Economy

Principles

4. The southern capital of NSW
5. Encourage and support investment
6. A connected and accessible city
7. Growth is supported by sustainable infrastructure

Relevant Actions	Response
ECON 3 - Develop an Infrastructure Strategy to support and guide decisions regarding infill, intensification (urban fringe) and new release areas.	<p>Not inconsistent.</p> <p>The Plan acknowledges that the market demand for low density and semi-rural housing places undue pressure on the delivery of services, transport planning and future development patterns. The Plan promotes the position that future settlements should be located:</p> <ul style="list-style-type: none"> ▪ To maximise the availability of existing infrastructure and services whilst maintaining the need for new services; ▪ Prioritise increased densities within existing urban areas; and ▪ Prioritise new release areas that are an extension of existing strategic and local centres.

Relevant Actions	Response
	<p>The future development of the subject land for large lot residential purposes would involve a logical extension to the Wagga Wagga urban area and would effectively and efficiently utilise existing road transport corridors and available utility services.</p> <p>Notwithstanding, any future subdivision of the subject land would require detailed investigation, planning and construction of new roads, utility services and drainage infrastructure. This may involve necessary upgrades to existing infrastructure as considered warranted.</p> <p>The delivery of service infrastructure would be at the cost of the developer and in accordance with the requirements of Council and/or service provider. However, in relation to the upgrades to water and sewer infrastructure required to support the future development of the subject land and surrounding areas, the Proponent would be amenable to negotiating a shared funding arrangement with Wagga Wagga City Council.</p> <p>Further, the proposed application of the URA overlay would provide greater certainty for the provision of infrastructure to support the future development of the subject land. As stated at Section 4.2 above, it is recommended that Wagga Wagga City Council also consider the application of the URA overlay to a broader southern precinct (inclusive of the subject land) so as to provide even greater certainty for the provision of infrastructure.</p> <p>Additional details in relation to infrastructure provision is provided at Section 4.3.4.1 below.</p>
<p>ECON 4 – Integrate land use and transport planning.</p>	<p>Not inconsistent.</p> <p>Potential impacts associated with the proposed re-zoning and subsequent subdivision of the subject land and broader southern precinct on the capacity and function of road infrastructure has been the subject of detailed investigation and reporting. The process culminated in the preparation of two (2) reports prepared by John Randall Consulting entitled 'Preliminary Traffic Assessment Report' (dated August 2020) (refer to Appendix G of the Preliminary Assessment Report).</p> <p>The Traffic Assessment Report concludes that the subject land is serviced by existing Local and National road infrastructure having sufficient operational function and capacity to cater for the future subdivision and development of the land. The Report also acknowledges the need to ensure adequacy in the design of future roads in the subdivision of land and that active pedestrian and cycle travel routes should be integrated into the final subdivision design.</p> <p>The Urban Design Report prepared by SIVA Projects presents a sustainable road layout and hierarchy and an interconnected network of pedestrian/cyclist shared pathways that will enhance connectivity and encourage active travel and the use of public transport.</p>

Relevant Actions	Response
	<p>The current Planning Proposal would not be inconsistent with this Action in that any subsequent subdivision of the land would have negligible impact on existing road infrastructure and access to public transport. Furthermore, the current Planning Proposal would not preclude a final subdivision design, which promoted improved public/pedestrian access both internal and external to the subdivision thus reducing car dependency.</p> <p>Further details in relation to transport infrastructure is provided at Section 4.3.4.1.</p>

LSPS THEME 3 – Community Place and Identity

Principles

8. Our city promotes a healthy lifestyle
9. High quality public spaces with an engaging urban character
10. Provide for a diversity of housing that meets our needs
11. Strong and resilient rural and village communities

Relevant Actions	Response
COM 3 - Develop a Housing Strategy to accommodate an additional 14,500 homes and 36,000 people, with a view to housing affordability, diversity, serviceability and sustainability.	<p>Not inconsistent.</p> <p>The Plan acknowledges that a combination of urban release areas and infill and urban renewal will be needed to reach the aspirational population of 100,000. Based on the development assumptions and current proposed urban release area capacity, the Plan identifies a shortfall of approximately 4,368 new homes, which would be needed to accommodate a population of 100,000. The Plan states that the shortfall could be rectified through a combination of high dwelling per hectare rates and infill and urban renewal opportunities.</p> <p>In relation to housing diversity, the Plan acknowledges that 'not everyone wants to live in a modern urban area'. As such, Wagga Wagga needs to cater for a wide variety of lifestyles and housing choices, including large lot residential development within 15-minutes of the city centre.</p> <p>Whilst the Plan nominates the Northern Growth Area as the preferred option for urban expansion given its proximity to the Charles Sturt University (CSU) and Special Activation Precinct (SAP), it is likely that the residential options would be predominantly standard low density housing stock (i.e. 550 square metre residential land options) together with some interspersed medium density and large lot housing stock.</p>

	<p>It is therefore expected that the Northern Growth Area would cater predominantly for first home buyers wanting to be close to their place of work and investors seeking to provide rental accommodation for workers associated with the Wagga Wagga SAP as well as students and staff of the CSU. This outcome would be encouraged by the availability of first home buyer grants and concessions as well as Wagga Wagga's competitive rental market and low vacancy rate (currently at circa 1.5%)¹.</p> <p>As stated in the Fitzpatricks Report for the 19/20 financial year, there is 'desperate' need for more lifestyle blocks. This 'demand' was reflected in the high median purchase prices for such properties. For instance, the suburb of Springvale (which adjoins the subject land to the north) recorded the highest median price of \$905,000 and is characterised by typically larger lifestyle homes on large blocks.</p> <p>Noting that existing lifestyle properties are selling at a high premium, it is anticipated that such land would not be readily sought for the provision of immediate infill housing opportunities (i.e. via higher dwelling per hectare rates or otherwise). Further to this, a reliance on infill housing to rectify some of the identified shortfall in new housing has unique challenges, including fragmented ownership, higher upfront capital costs, financing challenges, challenges associated with regulatory approval processes and environmental and infrastructure servicing challenges, which can discourage developers and thus affect the ability to achieve the housing targets envisaged by the LSPS.</p> <p>As demonstrated in Figure 4 above, the subject land is identified in the LSPS as being within an area whereby growth is to be managed in line with the sustainable provision of infrastructure. As detailed throughout this Planning Proposal, the subject land presents a viable option to facilitate the sustainable and progressive subdivision and release of land for large lot residential purposes based on the following:</p> <ul style="list-style-type: none"> ▪ It is under single-ownership and presents as a large and predominantly un-developed and unconstrained parcel of land. ▪ Proximity to the Wagga Wagga city centre (i.e. within 15-minutes – refer to COM 4 below). ▪ It would present as a natural 'southern' flow from the existing residential fringe. ▪ Provides for the effective use of cleared rural land. ▪ Safe and direct access to existing transport and active travel/public transport links. ▪ Proximity to existing reticulated services connections. ▪ Relatively flat topography. ▪ Opportunity to enhance and incorporate the ecological significance and indigenous heritage of the land into a sustainable subdivision design that would present a high-quality urban design outcome.
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Relevant Actions	Response
	<p>Therefore, should the current Planning Proposal come to fruition, it would facilitate the immediate and proper release of land for the provision of large lot residential housing stock (i.e. 1,000 square metre + land options), which would cater for more established family units seeking to own a larger home on a larger parcel of land.</p> <p>It would also inject greater confidence in the local and regional housing markets by providing surety in large lot residential land availability and affordable choice in a much sought after rural residential setting – whilst realising and enjoying the urban benefits offered by the Wagga Wagga city centre.</p> <p>Whilst the Plan identifies a need for a detailed Housing Strategy to provide directions for the delivery of new housing to meet the future needs of the city, there is adequate evidence to suggest that there is an immediate and 'desperate' demand for larger lot residential housing stock that could be alleviated by the current Planning Proposal.</p>
<p>COM 4 - Build a '15-minute city'.</p>	<p>Not inconsistent.</p> <p>As detailed in the LSPS, the provision of new housing within 15-minutes of the city centre will help to maintain the primacy of the city centre, maintain reasonable travel times and ensure infrastructure can be provided in a cost-effective manner.</p> <p>The subject land is located within 7km of the Wagga Wagga city centre and is located with a direct frontage to Plumpton Road, which is identified as a sub-arterial road in the Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040.</p> <p>Given the site's location and direct access to Plumpton Road, the duration of travel to the city centre is well-within 15-minutes by vehicle.</p> <p>As detailed in the Urban Design Report prepared by SIVA Projects, there is an opportunity to create a neighbourhood hub within suitable walking distance (circa 400m) from all future residences. This hub is intended to comprise of a neighbourhood shop/s as well as a playground. It would be located centrally within the site and with direct access to/from the internal collector road and network of open space and pedestrian pathways.</p> <p>Further, the Urban Design Report demonstrates that a network of pedestrian footpaths and cycleways would be provided – inclusive of a connection to the Plumpton Road cycleway/shared path to the north. It also includes the opportunity for bus stops to be provided within 400m walking distance from the majority of homes.</p> <p>As mentioned at ENV 9 above, this future network would:</p> <ul style="list-style-type: none"> Expand the reach of the existing active travel network within Wagga Wagga.

¹ As stated in the 2020 Fitzpatricks Real Estate Report.

Relevant Actions	Response
	<ul style="list-style-type: none"> ▪ Reduce the reliance on the use of private motor vehicles and encourage walking, cycling and the use of public transport. ▪ Provide connections and ease of movement between the city centre and the future neighbourhood – as well as within the future neighbourhood and to possible future developments to the north, east and west. <p>Based on the above, the current Planning Proposal is in-keeping with the '15-minute city' aspirations and would ultimately contribute to the regional housing market by providing some surety in land and housing availability and affordable choice in a much sought after rural residential setting whilst realising and enjoying the urban benefits offered by the Wagga Wagga city centre.</p>
<p>COM 6 – Encourage high quality urban design outcomes promoting innovative design techniques and land use integration to increase activity.</p>	<p>Not inconsistent.</p> <p>As demonstrated in the Urban Design Report prepared by SIVA Projects, there is an opportunity to deliver a high-quality urban design outcome should the current Planning Proposal come to fruition. Specifically, the conceptual urban design response delivers the following outcomes:</p> <ul style="list-style-type: none"> ▪ Incorporation, enhancement and protection of environmental values (including indigenous heritage) through the provision of generous open space areas. ▪ Optimisation of the natural features of the land (i.e. topography of the land, existing watercourses and their associated riparian corridors) to inform road layout design and the capture of significant view corridors. ▪ Optimisation of the existing built features of the land (i.e. the retention of the existing rural homestead, outbuildings and it's significant mature landscaping within one large allotment and the incorporation of the existing electrical transmission easements into the network of open space areas). ▪ Connectivity and accessibility through the provision of suitable road layout and hierarchy and an interconnected network of pedestrian/cyclist shared pathways. ▪ Sustainable provision of infrastructure. ▪ Innovation and sustainability (i.e. bioretention, native planting utilising low water dependant species, solar cells and rain water harvesting for future residences, installation of smart systems based on information technology). ▪ Healthy communities (i.e. initiatives such as the neighbourhood hub, market garden, dog park, playgrounds and network of interconnected open space areas and pedestrian/cyclist shared pathways). <p>It is noted that the urban design response has been prepared in close consultation with the Urban Design Guide for Regional NSW prepared by the Government Architect NSW.</p>

Relevant Actions	Response
<p>COM 14 – Incorporate cultural heritage in the design of public spaces.</p>	<p>Not inconsistent.</p> <p>The potential impact of the proposed re-zoning and subsequent subdivision of the land on indigenous and non-indigenous heritage and culture has been considered as part of the Preliminary Assessment Report (refer to Appendix A).</p> <p>The Report establishes that the land contains no items of historic heritage (non-indigenous) value and that any impact on known heritage listed sites within the locality would be negligible.</p> <p>In relation to indigenous heritage and culture, the Report identifies that the most likely sites to be found within the subject site are small low-density artefact scatters and isolated artefacts. These sites are likely to be found in archaeologically sensitive landforms, such as elevated terraces and flat land associated with natural watercourses, but may also be dispersed across the wider area, due to previous disturbance, erosion and colluvial processes. Scarred trees may also be present on native old growth isolated paddock trees.</p> <p>As demonstrated in the Urban Design Report prepared by SIVA Projects, the potential for impact to indigenous heritage and culture would be minimised through the implementation of the following design outcomes:</p> <ul style="list-style-type: none"> ▪ maintaining the existing watercourses and their associated riparian corridors within a broad network of public open space. ▪ Retaining existing mature and hollow-bearing trees and incorporating them into the open space areas and larger residential allotments. <p>Notwithstanding the above, detailed assessment of the site would be required to identify any indigenous objects and potential archaeological deposits so as to inform a sustainable subdivision design and viable options to incorporate the cultural heritage within the open space network.</p> <p>Based on the above, the current Planning Proposal would not be inconsistent with this Action as there is no intent to remove existing statutory land use controls and obligations to consider potential impact of development on indigenous and non-indigenous heritage and culture. Such obligations would be considered as part of a future Development Application for the subdivision of the land.</p>
<p>COM 15 – Co-locate local facilities and services to create hubs of activity, with housing provided within walkable distance.</p>	<p>Not inconsistent.</p> <p>As detailed in the Urban Design Report prepared by SIVA Projects, there is an opportunity to create a neighbourhood hub within suitable walking distance from all future residences. This hub is intended to comprise of a neighbourhood shop/s as well as a playground. It would be located centrally within the site and with direct access to/from the internal collector road and network of open space and pedestrian pathways.</p> <p>The conceptual urban design response also includes initiatives for the creation of a community market garden and dog park to also foster social interaction and activity.</p>

Relevant Actions	Response
	The current Planning Proposal would not be inconsistent with this Action as it would facilitate the sustainable and progressive subdivision and release of land for residential purposes as envisaged in the conceptual urban design response.

4.3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. This Planning Proposal is an appropriate mechanism to formalise the zoning and built form controls for the subject land, which are required to facilitate the future residential development of the subject site. The following points are made in support of this view:

- The current zoning of the subject land and associated minimum lot size requirements for the erection of dwellings as prescribed by the provisions of the WWLEP 2010 would effectively preclude residential release.
- There is adopted strategic land use planning policy in place, which provides clear direction for long term sustainable residential growth and development within the Wagga Wagga City Council LGA in context with environmental character, infrastructure provision and community expectations.
- The current Planning Proposal would not be inconsistent with the guiding principles and actions of the strategic planning policy as relevant (refer to **Sections 4.3.1.1, 4.3.2.1 and 4.3.2.2**).
- The provisions of the WWLEP 2010 and accompanying comprehensive development control plan (as adopted by Council) would ultimately control and regulate the orderly and proper future development of the subject land for residential purposes.

4.3.2 Section B – Relationship to Strategic Planning Framework

4.3.2.1 In the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. This Planning Proposal is consistent with the applicable Regional Plan as detailed below.

Riverina Murray Regional Plan 2036

A primary purpose of the Riverina Murray Regional Plan 2036 is to ensure that adequate land is available and appropriately located to sustainably accommodate projected housing and employment needs for the Region for the next 20 years.

The relevant matters for consideration under the Plan are as follows:

Matter for Consideration	Response
GOAL 1 – A Growing and Diverse Economy	
<p>Direction 1 – Protect the Region’s diverse and productive agricultural land.</p> <p>Action 1.2 – Protect important agricultural land identified in the regional agricultural development strategy from land use conflict and fragmentation and manage the interface between important agricultural lands and other land uses.</p>	<p>Not inconsistent.</p> <p>The Plan outlines an action framework designed to open an awareness and acknowledgement of the importance of protecting significant agricultural lands in the interests of sustained productivity, employment opportunity and food security. This includes the preparation of a Regional Agricultural Development Strategy that would map important agricultural land, identify emerging opportunities for agriculture and set the direction for local planning of agricultural development. The Plan also acknowledges that incompatible land uses can inhibit agricultural processes and that the fragmentation of agricultural land can impact its productivity by limiting its ability to operate at a sufficient economic scale.</p> <p>The subject land and that of adjoining and adjacent lands have a long history of agricultural use over successive years of cropping, pasture improvement and grazing.</p> <p>Important Agricultural Land (IAL) mapping for the Riverina Murray Region is not yet on exhibition². Notwithstanding, due to the current land capability classification of the subject land (i.e. Class 4 and 6 – moderate to low capability), it is considered unlikely that the site would qualify as IAL. Further to this, it is noted that Biophysical Strategic Agricultural Land (BSAL) is not mapped within the subject land or within surrounding lands.</p> <p>The current Planning Proposal facilitates the orderly and proper release of existing agricultural lands for residential purposes in accordance with adopted strategic and statutory planning policy. The release of the land for residential purposes would have no significant impact on agricultural worth in the region and any potential land use conflict at the interface with existing agricultural lands, can be managed through sustainable subdivision design reflective of the existing land use activities and the natural environment.</p> <p>Potential land use conflict between proposed residential and existing agricultural land use activities can be assessed as part of any future Development Application process. This would potentially involve the undertaking of a land use conflict risk assessment in accordance with the NSW Department of Planning, Industry and Environment publication – ‘Land Use Conflict Risk Assessment Guide’. The assessment could be used in finalising the future subdivision design of the land. Notwithstanding, as demonstrated in the Urban Design Report prepared by SIVA Projects, Plumpton Road, Rowan Road and the existing electrical transmission easements would provide a suitable buffer between future residential development and adjacent agricultural lands. The design controls and objectives of the Wagga Wagga Development Control Plan 2010 would also guide compatible development outcomes and manage the interface to prevent land use conflict.</p>

² Department of Primary Industries – Important Agricultural Land Mapping in NSW - <https://www.dpi.nsw.gov.au/agriculture/lup/agriculture-industry-mapping/important>

Matter for Consideration	Response
GOAL 2 – A Healthy Environment with Pristine Waterways	
<p>Direction 15 – Protect and manage the region’s many environmental assets.</p> <p>Action 15.2 – Minimise potential impacts arising from development in areas of high environmental value and consider offsets or other mitigation mechanisms for unavoidable impacts.</p>	<p>Not inconsistent.</p> <p>The Plan acknowledges the presence of lands within the Region as having high environmental values, which must be preserved and protected against the impacts of urban development and other forms of non-compatible land use activities.</p> <p>The current Planning Proposal acknowledges the biodiversity values of the subject land and the importance of preserving those values through the strategic and statutory planning process.</p> <p>Refer to Section 4.3.3.1 below for further discussion regarding biodiversity value.</p>
<p>Direction 16 – Increase resilience to natural hazards and climate change.</p> <p>Action 16.1 – Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community’s exposure to natural hazards.</p>	<p>Not inconsistent.</p> <p>The Plan acknowledges that natural hazards and climate change pose significant risks to the Region’s ecosystems, agricultural productivity, health and wellbeing, and the sustainability of rural communities. In response, the Plan recommends that development, including new urban release areas, be located away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land (including naturally occurring asbestos) and designated waterways to reduce exposure to hazards and climate-related risks.</p> <p>As detailed in the Preliminary Assessment Report, the subject land is not affected by bushfire hazards, groundwater, contamination and/or other land vulnerabilities.</p> <p>Notwithstanding, part of the subject land is affected by overland flow flooding associated with Stringybark Creek, which is also mapped as an area of high biodiversity value on the NSW DPIE Biodiversity Values Map. As detailed in the Urban Design Report prepared by SIVA Projects, Stringybark Creek and its associated riparian corridor is proposed to be protected within an area of open space (proposed to be zoned RE1 Public Recreation).</p> <p>The current Planning Proposal would not be inconsistent with this Action as there is no intent to remove existing statutory land use controls and obligations to consider the potential impact of flooding on development and the potential impact of development on biodiversity values. As detailed previously, such obligations would be considered as part of a future Development Application for the subdivision of the land.</p>

Matter for Consideration	Response
GOAL 4 – Strong, Connected and Healthy Communities	
<p>Direction 22 – Promote the growth of regional cities and local centres.</p> <p>Action 22.1 – Coordinate infrastructure delivery across residential and industrial land in the regional cities.</p>	<p>Not inconsistent.</p> <p>Noting that regional cities underpin the economic prosperity of the Region, the Plan states that the majority of housing over the next 20 years is likely to be delivered in the regional cities – being Wagga Wagga, Albury and Griffith.</p> <p>The LSPS identifies a shortfall of approximately 4,368 new homes, which would be needed to accommodate the aspirational population of 100,000. The LSPS states that the shortfall could be rectified through a combination of high dwelling per hectare rates and infill and urban renewal opportunities.</p> <p>As detailed previously, the subject land is identified in the LSPS as being within an area whereby growth is to be managed in line with the sustainable provision of infrastructure. As detailed throughout this Planning Proposal, the subject land presents a viable option to facilitate the sustainable and progressive subdivision and release of land for large lot residential purposes.</p> <p>Refer to Section 4.3.4.1 of this Planning Proposal for details in relation to the adequacy of existing public infrastructure.</p>
<p>Direction 25 – Build housing capacity to meet demand.</p> <p>Action 25.2 – Facilitate increased housing choice in regional cities and locations close to existing services and jobs.</p> <p>Action 25.3 – Align infrastructure planning with land release areas to provide adequate infrastructure.</p>	<p>Not inconsistent.</p> <p>The Plan acknowledges that having a ready supply of appropriately located residential land has the potential to place downward pressure on property values and existing infrastructure and services whilst ensuring the integrity of environmentally sensitive areas. The Plan places an importance on the adoption of localised flexible housing strategies, which promote sustainable growth in existing centres (rather than isolated land releases), and which meet community aspirations in relation to housing and lifestyle choice.</p> <p>The current Planning Proposal is consistent with the LSPS, which has identified the subject land as being suitable for sustainable residential release. Furthermore, the current Planning Proposal does not seek to remove housing choice as currently provided by the provisions of the WWLEP 2010. The likes of dwellings, dual occupancies and secondary dwellings would continue to be permissible forms of land use with Council consent.</p> <p>Also, it is to be noted that under the proposed zonings and minimum lot size requirements as nominated in the current Planning Proposal, the size and shape of individual lots would more than cater for the siting and design of future residential development without adverse impact on existing and future amenity, biodiversity, culture and heritage and the agricultural worth of adjoining and adjacent lands.</p> <p>Further, future development of the subject land for large lot residential purposes would involve a logical extension to the Wagga Wagga urban area and would effectively and efficiently utilise existing road transport corridors and available utility services. Notwithstanding, any future subdivision of the subject land would require detailed investigation, planning and construction of new roads, utility services and drainage infrastructure. This would involve necessary developer funded upgrades to existing infrastructure as detailed at Section 4.3.4.1 below.</p>

Matter for Consideration	Response
<p>Direction 26 – Provide greater housing choice.</p> <p>Action 26.7 – Promote incentives to encourage greater housing affordability, including a greater mix of housing in new release areas.</p>	<p>Not inconsistent.</p> <p>The Plan acknowledges the need to promote and provide greater delivery of seniors housing and affordable housing options across the region. It also acknowledges the need for an adequate range of short-term accommodation options to meet the needs of seasonal workers.</p> <p>The current Planning Proposal would not limit or remove seniors housing and/or affordable housing options available under the provisions of the WWLEP 2010 or State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 or State Environmental Planning Policy (Affordable Rental Housing) 2009 – as relevant.</p>
<p>Direction 27 – Manage rural residential development.</p> <p>Action 27.1 – Enable new rural residential development only where it has been identified in a local housing strategy prepared by council and approved by the Department of Planning and Environment.</p> <p>Action 27.2 – Locate new residential areas:</p> <ul style="list-style-type: none"> ▪ In close proximity to existing urban settlements to maximise the efficient use of existing infrastructure and services, including roads, water, sewerage and waste services and social and community infrastructure; ▪ To avoid or minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and ▪ To avoid areas of high environmental, cultural and heritage significance, important agricultural land or areas affected by natural hazards. 	<p>Not inconsistent.</p> <p>The Plan acknowledges that rural residential development can conflict with productive agricultural and industrial land and have a negative impact on valuable environmental assets, cultural and heritage assets, or areas with important landscape values. The Plan also states that rural residential development should not increase pressures on infrastructure and services provision and be located free from natural hazards.</p> <p>The current Planning Proposal involves land that has been identified in the LSPS as being suitable for sustainable residential release and is in a location which would form a logical expansion of the Wagga Wagga urban area without placing undue pressure on existing infrastructure. Further, as detailed in the Preliminary Assessment Report, the subject land is not affected by natural hazards such as bushfire, groundwater, contamination and/or other land vulnerabilities.</p> <p>It is noted that under the proposed zoning and minimum lot size requirements as nominated in the current Planning Proposal, the size and shape of individual lots would more than cater for the siting and design of future residential development without adverse impact on existing and/or future amenity, biodiversity, culture and heritage and agricultural worth of adjoining and adjacent lands. In addition to this, the areas of the subject land with noteworthy environmental value are proposed to be conserved through the application of the RE1 Public Recreation Zone. As demonstrated in the Urban Design Report prepared by SIVA Projects, the areas proposed to be zoned RE1 Public Recreation would create a strong environmental network providing opportunities for active and passive outdoor recreation and relaxation whilst preserving landscape character.</p>
<p>Direction 28 – Deliver healthy built environments and improved urban design.</p> <p>Action 28.2 – Promote high-quality open spaces that support physical activity, including walking and cycling networks, in the design of new communities.</p> <p>Action 28.4 – Incorporate water sensitive urban design in new development.</p>	<p>Not inconsistent.</p> <p>The Plan acknowledges the importance of good urban design in improving the community's cultural, economic and physical wellbeing and that new and existing development should be designed to provide opportunities for walking and cycling. It also states that Councils need to promote water sensitive urban design techniques to improve water use planning and supply and water security.</p> <p>As detailed at Action COM 4 of the LSPS (refer to Section 4.3.1.1 above), the Urban Design Report prepared by SIVA Projects demonstrates that there is an opportunity to deliver a high-quality urban design outcome should the current Planning Proposal come to fruition. Specifically, the urban design response delivers high-quality open spaces that support physical activity and social interaction and innovation and sustainability through the provision of WSUD techniques.</p>

Matter for Consideration	Response
<p>Direction 29 – Protect the Region’s Aboriginal and historic heritage.</p> <p>Action 29.2 – Consult with Aboriginal people and the broader community to identify heritage values at the strategic planning stage.</p> <p>Action 29.4 – Recognise and conserve heritage assets that have community significance in local plans.</p>	<p>Not inconsistent.</p> <p>The Plan acknowledges the importance of preserving indigenous and non-indigenous heritage and culture in the Region to the benefit of present and future generations. The Plan recommends that early and appropriate consideration be given to heritage values as part of the strategic planning process for the purpose of providing greater certainty for stakeholders during the development assessment process.</p> <p>The potential impact of the proposed re-zoning and subsequent subdivision of the land on indigenous and non-indigenous heritage and culture has been considered as part of the Preliminary Assessment Report. The Report has identified that there may be potential for scarred trees and scattered artefacts within the subject site, which would require further investigation as part of any subsequent application for the subdivision of the land. At that time, the local Aboriginal Land Council could be engaged for the purpose of providing direction in the subdivision design.</p> <p>Furthermore, the Preliminary Assessment Report has established that the land contains no items of historic heritage (non-indigenous) value and that any impact on known heritage listed sites within the locality would be negligible.</p> <p>The current Planning Proposal would not be inconsistent with the Plan as there is no intent to remove existing statutory land use controls and obligations to consider potential impact of development on indigenous and non-indigenous heritage and culture.</p>
Local Government Narratives	
<p>Wagga Wagga</p>	<p>Not inconsistent.</p> <p>The Plan highlights the long and short-term opportunities and attractiveness of the Wagga Wagga LGA and the need to promote and facilitate sustainable regional growth without compromising the very attributes, which local communities and visitors seek out and enjoy on a day-to-day basis such as (but not limited to):</p> <ul style="list-style-type: none"> ▪ its regional city status, ▪ strategic location with excellent transport options and connectivity to Australia’s major cities, ▪ employment opportunities, ▪ participation in and/or exposure to local agriculture, ▪ education and health industries, and ▪ availability of service infrastructure and recreational opportunities. <p>The current Planning Proposal would be in keeping with those aspirations and would ultimately contribute to the regional housing market by providing some surety in land and housing availability and affordable choice in a much sought after rural residential setting whilst realising and enjoying the urban benefits offered by Wagga Wagga and the surrounding districts.</p>

4.3.2.2 Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

Yes. This Planning Proposal is consistent with other local strategic plans as detailed below.

Wagga Wagga City Council Community Strategic Plan 2040

The Wagga Wagga Community Strategic Plan 2040 articulates the community's shared vision, values, aspirations and priorities with reference to other government plans, information and resourcing capabilities.

Specifically, the Community Strategic Plan 2040 aims to:

- Inform Wagga Wagga City Council's priority setting and decision making.
- Provide a rationale for any organisation pursuing grants and other resources for specific projects that can be shown to fit with particular strategic priority outlined in the Plan.
- Inform stakeholders of the community's long-term vision for the region.
- Guide local and regional planning documents and initiatives.

The current Planning Proposal is considered to be consistent with the aims and strategic direction of the Community Strategic Plan 2040 in that:

- It responds to identified regional growth patterns and requirements.
- It would have no adverse impact on the Region's social, cultural and economic diversity.
- It addresses community expectations relating to sustainable population growth whilst preserving environmental quality and land use diversity.
- It is not inconsistent with the regional and local strategic land use and infrastructure policy as relevant.
- It maintains a balance between sustainable growth, development and environmental protection through governance and sensible planning.

Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040

The Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040 establishes a strategic direction for transport that aims to improve local traffic access and connectivity, identify the provision of responsive parking facilities, and provide a framework for a more cohesive transport network. The Strategy also aims to maximise opportunities to increase public transport and walking and cycling.

Importantly, the Strategy acknowledges that Wagga Wagga's existing road and transport network has developed over time to cater for increasingly expanding outer settlements and that a new and integrated approach is required to support a growing population, economy and Wagga Wagga's strategic position as the regional centre.

A key objective of the Strategy is to preserve a heavy vehicle bypass south of the Sturt Highway and for Council to work with the RMS to preserve the required corridor within Council's strategies. The Sturt Highway traverses the Wagga Wagga city centre and the Health and Knowledge Precinct (HKP) surrounding the Wagga Wagga Base and Calvary Hospitals. On this basis, it is intended that suitable corridor be identified south of the Sturt Highway to provide efficient, safe and low impact movement for freight transport between Sydney and Adelaide.

Wagga Wagga City Council Spatial Plan 2013/2043

The Spatial Plan 2013/2043 has been replaced by the recently adopted LSPS. It is noted that each of the action items within the Spatial Plan were considered as part of the development of the LSPS.

The Spatial Plan was a 30-year strategic plan aimed at managing growth and the provision of strategic direction for land use in the local government area. As shown in **Figure 6** below, the Plan identified the subject land as being within an investigation area for potential future urban development – being Potential Urban Area 5.

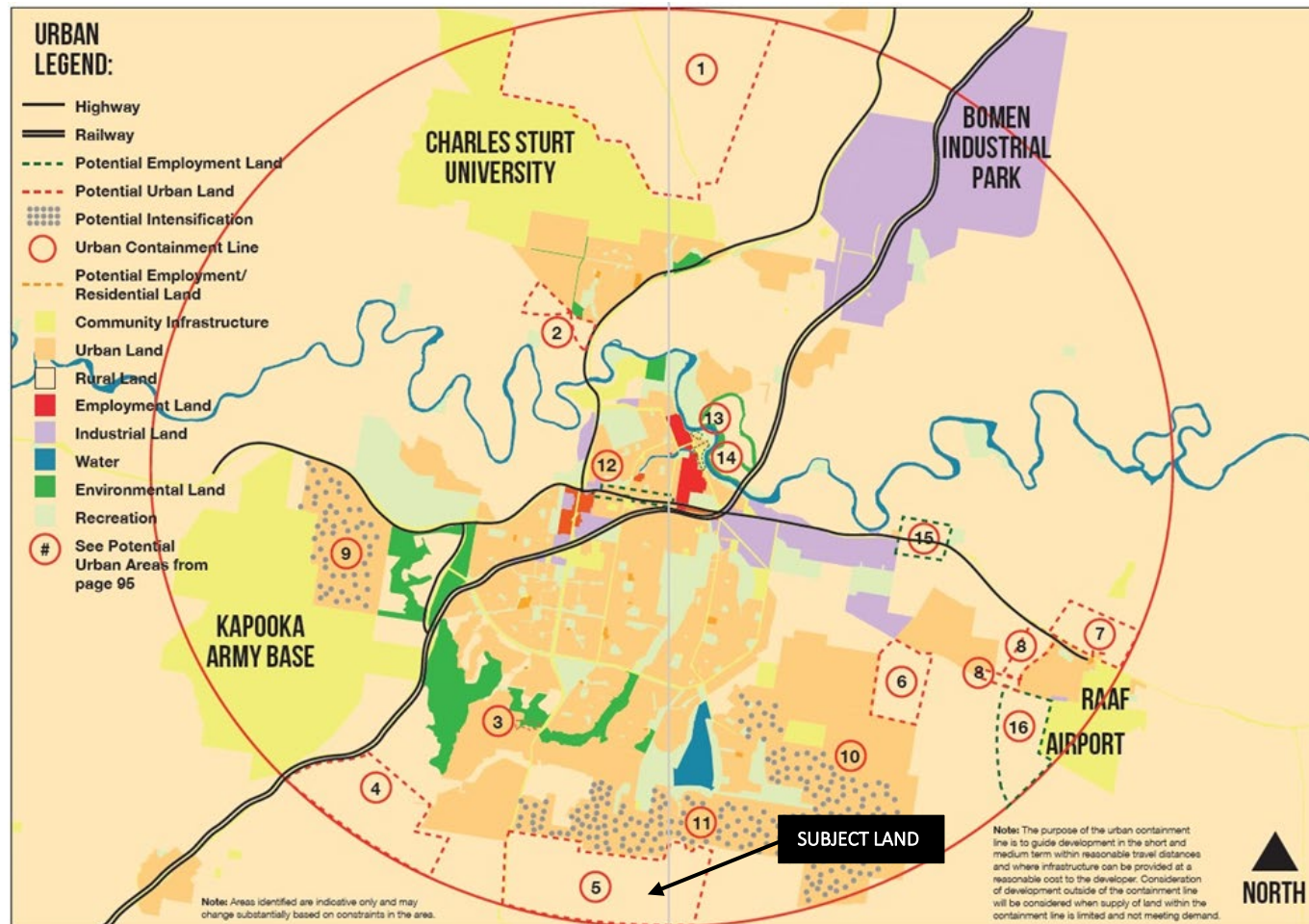


Figure 6: Spatial Plan 2013/2043 – Potential Urban Development Map

In relation to Potential Urban Area 5, the Spatial Plan identified the following matters for consideration for any re-zoning application proposing residential use within a short to medium-term timeframe:

Matter for Consideration	Response
The subject area is in the vicinity of a 'potential road connection' identified on the Transport Map. The rezoning of this land should be done in conjunction with the planning and investigation of the identified 'potential road connection'.	Refer to the discussion at Section 4.3.2.2 above.
The subject area is partially bush fire prone land and contains a significant ridgeline. The zone and minimum lot size will be considered after the outcomes of the residential study are known. The land will provide for Large Lot Residential / Rural Small Holding lifestyle blocks.	The subject land is not mapped as being bushfire prone. As demonstrated in the Urban Design Report prepared by SIVA Projects, the subject land is predominantly flat or slightly undulating with areas of steeper slopes within the western portions of the site and along the riparian corridors that traverse the site. On this basis, the topography of the land is not noted to be determinantal to the sustainable delivery of infrastructure or to the future development of the land for large lot residential purposes.
Run off as a result of development in this area needs to be controlled to ensure it doesn't affect existing residences in the area.	A Stormwater Management Plan for the subject site has been prepared by WMA Water and is included as Appendix E of the Preliminary Assessment Report (refer to Appendix A). The Stormwater Management Plan provides a preliminary design for the management of stormwater flows from the site to prevent adverse impacts on existing developments adjacent. As detailed in the Plan, stormwater would be managed via an 'end-of-line combined wetland' (for water quality). A detention basin (for water quantity) has been conceptually designed for each of the three sub-catchments within the subject site and can cater for both external (upstream) flows through the site as well as locally generated flows from future residential development. Notwithstanding the above, sustainable subdivision design, inclusive of WSUD features, would involve further evaluation and determination as part of any future Development Application process.
Overland flow flooding affects part of this area and any intensification in this area will not be supported on land affected by overland flow flooding.	As detailed in the adopted Wagga Wagga Major Overland Flow Floodplain Risk Management Study and Plan 2011, the south-eastern portion of the site is subject to overland flow flooding in the 1% Annual Exceedance Probability (AEP) event. The modelling indicates that flow is generally confined to the channel of Stringybark Creek and the unnamed watercourse during the design event. As detailed in the Stormwater Management Plan prepared by WMA Water, the hydraulic hazard classification indicates that the areas outside of the defined watercourses affected by overland flow flooding are classified as H1 – no constraint. On this basis, future development of the land for large lot residential purposes would not be incompatible with the land's flood hazard.

Wagga Wagga Recreation, Open Space and Community Strategy and Implementation Plan 2040

The Recreation, Open Space and Community Strategy and Implementation Plan 2040 (ROSC) aims to develop a connected, liveable city by providing direction for the planning, development, management and use of community spaces over the next 20 years within the local government area.

ROSC identifies the key community infrastructure required to meet the anticipated growth and responds to community's needs and desires identified through engagement. Specifically, the ROSC nominates the requirement of four (4) hectares per 1,000 people with the ratio divided into 2.5 hectares for outdoor recreation and facilities and 1.5 hectares for sporting facilities.

In relation to the proposed application of the RE1 Public Recreation Zone, the current Planning Proposal seeks to vary the adopted ratios in the ROSC so as to deliver a high-quality urban design outcome that provides high-quality open spaces that support physical activity, inclusiveness and social interactions. Specifically, as detailed in the Urban Design Report prepared by SIVA Projects, the application of the RE1 Public Recreation Zone to the identified areas of the subject land would:

- Encourage the incorporation, enhancement and protection of environmental values (including indigenous heritage).
- Provide a large, interconnected area of open space with opportunities for active and passive outdoor recreation and relaxation whilst preserving landscape character.
- Promote 'healthy communities' through the provision of a market garden, dog park, playgrounds and network of interconnected open space areas and pedestrian/shared pathways.

Whilst the Urban Design Report nominates a number of potential initiatives for outdoor recreation, it currently does not include scope for the provision of sporting facilities. It is noted that the actual scope of works within the proposed RE1 Public Recreation Zone would be confirmed in consultation with Wagga Wagga City Council as part of the Development Application process for the future development of the land.

It is accepted that the costs associated with the delivery and establishment of the open space areas would be borne by the developer. Further, whilst it is anticipated that Wagga Wagga City Council is likely to view the proposed areas of RE1 zoned land as a long-term maintenance burden, the Proponent would be amenable to negotiating a funding arrangement that alleviates any perceived 'burden' on Council resources.

4.3.2.3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

There are a number of State Environmental Planning Policies (SEPPs), which are considered relevant in the development of the subject land in accordance with both the existing provisions of the WWLEP 2010 or as promoted by the current Planning Proposal. Notwithstanding, there are specific SEPPs which are considered to have a higher order of importance in assessing the appropriateness of the objectives of the Planning Proposal. They are detailed and reviewed in the Table below.

For a complete checklist of SEPPs, refer to **Appendix G**.

Relevant State Environmental Planning Policies	Response
<p>State Environmental Planning Policy No. 55 – Remediation of Land</p>	<p>Not inconsistent.</p> <p>This Policy applies to State with the aim of facilitating the remediation of contaminated land.</p> <p>The subject land's long-standing agricultural history prompts consideration of the possibility that the land may have been exposed to contaminants associated with human occupation and routine farm management and agricultural activities. The contamination status of the land has been the subject of site-specific investigation by NGH Consulting. The process culminated in the preparation of Section 2.13.4 – 'Site Health' of the Preliminary Assessment Report.</p> <p>The results of the investigation conclude that it is low risk that any potential site contamination is of the severity or extent that would limit the future development of the site for residential purposes. The following is noted in point:</p> <ul style="list-style-type: none"> ▪ There are no contaminated lands within or adjacent to the subject land that are listed on the NSW EPA's Contaminated Land Record and List of Contaminated Sites Notified to the EPA. Additionally, a search of records for land classed as 'potentially contaminated' indicated that there is no recorded data held by the Wagga Wagga City Council for the subject land and/or for land adjoining or adjacent. ▪ The subject land comprises a number of farm buildings associated with its agricultural use. One of the buildings was noted to include a small chemical storage area. The chemicals noted to be stored in this area were found to be not listed as 'Dangerous Goods' on their corresponding material data sheets. ▪ The subject land does not comprise an area used as a former stockyard for the sorting and chemical treatment of cattle/sheep prior to transport to market. ▪ The subject land is not identified on the NSW Resources Regulator mapping database for naturally occurring asbestos. <p>The current Planning Proposal is not inconsistent with the provisions or application of the SEPP. Any future development of the subject land would involve a detailed evaluation and determination based on the merits of the case under the provisions of the SEPP. As required, additional investigative work would take place as part of any future Development Application process.</p>
<p>State Environmental Planning Policy (Affordable Rental Housing) 2009</p>	<p>Not inconsistent.</p> <p>This Policy applies to the State and aims to provide a consistent planning regime and development standards for the provision of affordable rental housing.</p> <p>The current Planning Proposal is not inconsistent with the provisions or application of the SEPP. Any future development of the subject land for the purposes specified in the SEPP would involve a detailed evaluation and determination under the provisions of the SEPP.</p>

Relevant State Environmental Planning Policies	Response
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	<p>Not inconsistent.</p> <p>This Policy applies to the State except as provided for in the SEPP. It aims to provide streamlined assessment processes for development that complies with specified development standards.</p> <p>The current Planning Proposal is not inconsistent with the provisions or application of the SEPP. Any future development of the subject land for the purposes specified in the SEPP would involve detailed evaluation and determination under the provisions of the SEPP.</p>
State Environmental Planning Policy (Primary Production and Rural Development) 2019	<p>Not inconsistent.</p> <p>This Policy seeks to support investment in agriculture, reduce land use conflict, facilitate an adaptive approach to new and emerging agricultural practices, technology and industry and to protect environmental values. It commenced on 28 February 2019 and consolidates, updates and repeals the provisions in five former agriculture-themed SEPPs.</p> <p>Many of the provisions in the repealed SEPPs were local-level land use planning matters, which have since been transferred to local LEPs (as relevant). The Primary Production and Rural Development SEPP 2019 seeks to deal with agricultural land use matters of State and regional significance.</p> <p>The subject land is not identified as being State Significant Agricultural Land (SSAL) under the Primary Production and Rural Development SEPP 2019. On this basis, the Policy has no real force or effect.</p>
State Environmental Planning Policy (Koala Habitat Protection) 2020	<p>Not inconsistent.</p> <p>This Policy applies to development applications on land over one hectare within the local government areas nominated in the SEPP.</p> <p>The aim of the Policy is to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.</p> <p>With regard to the current application of the Koala Habitat Protection SEPP 2020, the following points are noted:</p> <ul style="list-style-type: none"> ▪ The subject land is located within the Wagga Wagga City Council LGA, which is an LGA to which the Koala Habitat Protection SEPP applies (as listed in Schedule 1). ▪ As detailed in the Biodiversity Assessment provided at Appendix C of the Preliminary Assessment Report (refer to Appendix A), background research has noted that the species or its habitat may occur within the area (i.e. within a 10km radius). In relation to its likelihood of occurrence, the Biodiversity Assessment states it as 'possible unlikely' based on six records with the nearest being within 250m of the site. Notwithstanding, these records are dated 1965 and there are no recent records. ▪ As to whether the land actually supports the species, or its habitat would need to be fully investigated and assessed in accordance with the relevant requirements of the Koala Habitat Protection SEPP 2020 as well as the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> and the NSW <i>Biodiversity Conservation Act 2016</i>. This process would be included as part of the BDAR, which would form part of the future Development Application process for the sustainable subdivision of the land.

Relevant State Environmental Planning Policies	Response
	Given the above, the current Planning Proposal is not inconsistent with the provisions or application of the SEPP. Any future development of the subject land would involve detailed evaluation and determination under the provisions of the SEPP.
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	<p>Not inconsistent.</p> <p>The Policy applies to the non-rural areas of the State and aims to protect and preserve the biodiversity and amenity values of trees and other vegetation.</p> <p>The current Planning Proposal facilitates the orderly development of existing rural land for large lot residential purposes and as such, the Policy has no force or effect at the present time. However, the subject land has noteworthy biodiversity and amenity values notwithstanding its long-established agricultural use. Should the current Planning Proposal come to fruition, the nominated proposed zones would necessitate the need to fully consider potential biodiversity and amenity impacts associated with tree and vegetation loss as part of the development process.</p> <p>Given the above, it is considered that the current Planning Proposal has some relevance with the Policy in that there are likely issues 'in fact', but those issues have no real weight under the Policy at the present time.</p> <p>Further consideration of biodiversity matters is provided in Section 4.3.3.1 below.</p>

4.3.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s. 9.1 Directions)?

The Section 9.1 Directions that are relevant to this Planning Proposal have been detailed and reviewed in the Table below.

For a complete checklist of Section 9.1 Directions, refer to **Appendix H** of this Planning Proposal.

Ministerial Direction	Response
1 Employment and Resources	
1.2 Rural Zones	<p>Inconsistent but reasonable and justified.</p> <p>The Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>The purpose of this Direction is to protect the agricultural production value of rural land.</p> <p>The current Planning Proposal is inconsistent with the Direction in that it would facilitate the re-zoning of rural land for large lot residential purposes. However, the extent of the inconsistency is considered reasonable and justified on the basis that the current Planning Proposal would:</p> <ul style="list-style-type: none"> Not be inconsistent with the adopted regional and local strategic land use policy thus ensuring against the indiscriminate fragmentation of rural land whilst also facilitating measured large lot residential subdivision, which is reflective of the biodiversity values and land use diversity in the locality and the greater regional area. Not create an unreasonable precedent in the future application of the Direction.

Ministerial Direction	Response
<p>1.5 Rural Lands</p>	<p>Inconsistent but reasonable and justified.</p> <p>The Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed rural or environmental protection zone or changes the existing minimum lot size on land within a rural or environmental protection zone.</p> <p>The Direction aims to protect the agricultural production value of rural land and to facilitate the orderly and economic development of rural lands for rural and related purposes.</p> <p>The current Planning Proposal facilitates the re-zoning of land and its subsequent subdivision for large lot residential purposes and in doing so, adopts a minimum lot size requirement contrary to that prescribed under the current WWLEP 2010. However, the inconsistency is considered reasonable and justified on the basis that:</p> <ul style="list-style-type: none"> ▪ Due to the current land capability classification of the subject land (i.e. Class 4 and 6 – moderate to low capability), it is considered unlikely that the site would qualify as IAL. Further to this, it is noted that BSAL and SSAL are not mapped within the subject land or within surrounding lands. ▪ The current Planning Proposal facilitates the orderly and proper release of existing agricultural lands for residential purposes in accordance with adopted strategic and statutory planning policy. The release of the land for residential purposes would have no significant impact on agricultural worth in the region and any potential land use conflict at the interface with existing agricultural lands, can be managed through sustainable subdivision design reflective of the existing land use activities and the natural environment. ▪ The current Planning Proposal is not inconsistent with the adopted regional and local strategic land use policy thus ensuring against the indiscriminate fragmentation of rural land whilst also facilitating measured large lot residential subdivision, which is reflective of the biodiversity values and land use diversity in the locality and the greater regional area. ▪ Not create an undesirable precedent in the future application of the Direction.
<p>2 Environment and Heritage</p>	
<p>2.3 Heritage Conservation</p>	<p>Not inconsistent.</p> <p>The Direction applies when a relevant planning authority prepares a Planning Proposal.</p> <p>The Direction aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The Direction effectively acknowledges the important of preserving indigenous and non-indigenous heritage and culture to the benefit of present and future generations whilst ensuring a strategic and statutory planning process designed to provide greater certainty for stakeholders.</p> <p>The potential impact of the proposed re-zoning and subsequent subdivision of the land on indigenous and non-indigenous heritage and culture has been considered as part of the Preliminary Assessment Report. The Report has identified that there may be potential for scarred trees and scattered artefacts within the subject site, which would require further investigation</p>

Ministerial Direction	Response
	<p>as part of any subsequent application for the subdivision of the land. At that time, the local Aboriginal Land Council could be engaged for the purpose of providing direction in the subdivision design.</p> <p>Furthermore, the Preliminary Assessment Report has established that the land contains no items of historic heritage (non-indigenous) value and that any impact on known heritage listed sites within the locality would be negligible.</p> <p>The current Planning Proposal would not be inconsistent with the Direction as there is no intent to remove existing statutory land use controls and obligations to consider potential impact of development on indigenous and non-indigenous heritage and culture. Such obligations would be considered as part of a future Development Application for the subdivision of the land.</p>
<p>2.6 Remediation of Contaminated Land</p>	<p>Not inconsistent.</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land on which development for a purpose referred to in Table 1 to the Contaminated Land Planning Guidelines is being, or is known to have been, carried out.</p> <p>As detailed at Section 2.2, the subject land has a long history of agricultural use, including successive years of intensive plant agriculture (cropping), pasture improvement, livestock grazing and weed management. As per Table 1 of the Guidelines, agricultural activities are listed as being potentially contaminating. On this basis, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the guidelines.</p> <p>The contamination status of the land has been the subject of site-specific investigation by NGH Consulting. The process culminated in the preparation of Section 2.13.4 – 'Site Health' of the Preliminary Assessment Report.</p> <p>The results of the investigation conclude that it is low risk that any potential site contamination is of the severity or extent that would limit the future development of the site for residential purposes. The following is noted in point:</p> <ul style="list-style-type: none"> ▪ There are no contaminated lands within or adjacent to the subject land that are listed on the NSW EPA's Contaminated Land Record and List of Contaminated Sites Notified to the EPA. Additionally, a search of records for land classed as 'potentially contaminated' indicated that there is no recorded data held by the Wagga Wagga City Council for the subject land and/or for land adjoining or adjacent. ▪ The subject land comprises a number of farm buildings associated with its agricultural use. One of the buildings was noted to include a small chemical storage area. The chemicals noted to be stored in this area were found to be not listed as 'Dangerous Goods' on their corresponding material data sheets. ▪ The subject land does not comprise an area used as a former stockyard for the sorting and chemical treatment of cattle/sheep prior to transport to market. ▪ The subject land is not identified on the NSW Resources Regulator mapping database for naturally occurring asbestos. <p>Based on the above, the current Planning Proposal would not be inconsistent with the Direction. Further, a Detailed Site Investigation could be carried out as required to support a future Development Application for the subdivision of the land.</p>

Ministerial Direction	Response
3 Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>Not inconsistent.</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed residential zone or any other zone in which significant residential development is permitted or proposed to be permitted.</p> <p>The Direction aims to encourage variety and choice in housing types and the efficient use of infrastructure and services whilst minimising potential impact on environmental and resource lands.</p> <p>The current Planning Proposal would not be inconsistent with the Direction given the fact that it would be in accordance with adopted local and regional strategic land use policy, and that there is no intent to remove existing statutory controls and obligations to consider the appropriateness of all forms of residential development and its potential impacts.</p>
3.4 Integrating Land Use and Transport	<p>Not inconsistent.</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal, which will create, alter or remove a zone or a provision relating to urban land (as defined).</p> <p>The Direction aims to ensure that the characteristics of urban form achieve specific objectives being:</p> <ul style="list-style-type: none"> ▪ Improved access to housing, jobs and services through various means such as walking, cycling and public transport. ▪ Increased choice in available transport and a reduction in car dependence. ▪ Reduction in travel demand – number of trips generated, and distance travelled, especially by car. ▪ Supporting the efficient and viable operation of public transport. ▪ Provide for the efficient movement of freight. <p>Potential impacts associated with the proposed rezoning and subsequent subdivision of the subject land on the capacity and function of road infrastructure has been the subject of detailed investigation and reporting. The process culminated in the preparation of a report prepared by John Randall Consulting entitled ' Preliminary Traffic Assessment Report' (dated August 2020) (refer to Appendix G of the Preliminary Assessment Report at Appendix A).</p> <p>The Report concludes that the subject land is serviced by existing Local and National road infrastructure having sufficient operational function and capacity to cater for the future subdivision of the land as promoted by the current Planning Proposal. The Report also acknowledges the need to ensure adequacy in the design of future roads in the subdivision of land and that active pedestrian and cycle travel routes should be integrated into the final subdivision design.</p> <p>The Urban Design Report prepared by SIVA Projects presents a sustainable road layout and hierarchy and an interconnected network of pedestrian/cyclist shared pathways that will enhance connectivity and encourage active travel and the use of public transport.</p>

Ministerial Direction	Response
	The current Planning Proposal would not be inconsistent with the Direction given the fact that it would be in accordance with adopted local and regional strategic land use policy and that any subsequent subdivision of the land would have negligible impact on existing road infrastructure and access to public transport. Furthermore, the current Planning Proposal would not preclude a final subdivision design, which promoted improved public/pedestrian access both internal and external to the subdivision thus reducing car dependency.
4 Hazard and Risk	
4.3 Flood Prone Land	<p>Not inconsistent.</p> <p>This Direction applies when a planning authority prepares a Planning Proposal that creates, removes, alters a zone or a provision that affects flood prone land.</p> <p>The Direction effectively precludes the re-zoning of land located within specific land use zones for the purpose of facilitating residential development.</p> <p>As detailed in the adopted Wagga Wagga Major Overland Flow Floodplain Risk Management Study and Plan 2011, the south-eastern portion of the site is subject to overland flow flooding in the 1% Annual Exceedance Probability (AEP) event. The modelling indicates that flow is generally confined to the channel of Stringybark Creek and the unnamed watercourse during the design event.</p> <p>As detailed in the Stormwater Management Plan prepared by WMA Water, the hydraulic hazard classification indicates that the areas outside of the defined watercourses affected by overland flow flooding, are classified as H1 – no constraint. Noting that the defined watercourses form part of the areas proposed to be zoned RE1 Public Recreation (which prohibits residential development), future development of the land proposed to be zoned R5 Large Lot Residential would not be incompatible with the land's flood hazard.</p> <p>Further, the Stormwater Management Plan indicates that future development could be designed so that there would be no significant flood impacts to adjoining properties. Notwithstanding, additional investigation and reporting would be required to support a future Development Application for the subdivision of the land.</p> <p>Whilst the current Planning Proposal intends to permit the future large lot residential development of the subject land, it would not be permitted within the defined flood planning area. On this basis, the current Planning Proposal is not inconsistent with this Direction.</p>
5 Regional Planning	
5.10 Implementation of Regional Plans	<p>Not inconsistent.</p> <p>This Direction requires Planning Proposals to be consistent with a Regional Plan released by the Minister for Planning.</p> <p>As detailed at Section 4.3.2.1, this Planning Proposal is consistent with the vision, land use strategy, policies, outcomes and actions defined by the applicable regional, sub-regional or district plan or strategies.</p>

Ministerial Direction	Response
6 Local Plan Making	
6.1 Approval and Referral Requirements	<p>Not inconsistent.</p> <p>This Direction aims to minimise the inclusion of provisions that require the concurrence, consultation or referral of development to a Minister or public authority.</p> <p>This Planning Proposal does not propose to include additional forms of land use and/or land use controls, which require adoption of a concurrence, consultation or referral process beyond that prescribed by the current WWLEP 2010. Therefore, the current Planning Proposal is not inconsistent with this Direction.</p>
6.2 Reserving Land for Public Purposes	<p>Inconsistent but reasonable and justified.</p> <p>This Direction applies when a relevant planning authority prepares a Planning Proposal that creates, alters or reduces existing zonings or reservations of land for public purposes.</p> <p>It aims to facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>The current Planning Proposal is inconsistent with the Direction in that it would facilitate the re-zoning of rural land for public recreation purposes. However, the extent of the inconsistency is considered reasonable and justified on the basis that the current Planning Proposal would:</p> <ul style="list-style-type: none"> ▪ Not be inconsistent with the adopted regional and local strategic land use policy. ▪ Facilitate the conservation of areas of the subject land that have noteworthy environmental value and create a strong network of public open space providing opportunities for active and passive outdoor recreation and relaxation whilst preserving landscape character. ▪ Not create an unreasonable precedent in the future application of the Direction.
6.3 Site Specific Provisions	<p>Not inconsistent.</p> <p>This Direction relates to the use of site-specific planning controls.</p> <p>This Planning Proposal does not seek to include additional uses beyond what is permitted within the land use table. It is noted that the R5 Large Lot Residential Zone and RE1 Public Recreation Zone will permit the type of development that is envisaged for the site in the future.</p> <p>Additionally, and with the exception of the LEP amendments documented in this current Planning Proposal, there is no intent to remove the existing controls governing subdivision, the erection of dwellings and environmental integrity as prescribed by the provisions of the WWLEP 2010.</p> <p>Accordingly, the current Planning Proposal is consistent with this Direction.</p>

4.3.3 Section C – Environmental, Social and Economic Impact

4.3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal?

Due to past and present land management practices (i.e. intensive plant agriculture – cropping, pasture improvement, cattle/sheep grazing, weed management etc.) the subject land is unlikely to be identified as having high environmental value. Notwithstanding, a preliminary ecological investigation has been undertaken to assess the potential impacts of the proposed re-zoning and subsequent subdivision of the land for residential/rural residential purposes. The process culminated in the preparation of a Biodiversity Assessment Report by NGH Consulting, which is included as Appendix C to the Preliminary Assessment Report (refer to **Appendix A**).

The Biodiversity Assessment Report identified the following:

- The subject land is mapped as comprising terrestrial biodiversity under the WWLEP 2010, which is not considered to be a notable constraint.
- Stringybark Creek is identified as having 'high biodiversity value' on the Biodiversity Values Map prepared by the Environment, Energy and Science Group of the NSW DPI.
- No threatened fauna and/or flora species were detected during a site survey in May 2020. However, habitat features such as hollow bearing trees, fallen timber, open grassland, farm dams and drainage lines were noted to be present.
- Background searches indicated that several threatened flora and fauna species could potentially occur on the subject land.
- One Plant Community Type was identified, being PCT227 Blakely's Red Gum – Yellow Box Grassy Tall Woodland of the NSW southwest slopes bioregion (as shown in **Figure 7** below). This community conforms with a Threatened Ecological Community (TEC) under the *Biodiversity Conservation Act 2016* (BC Act), being White Box Yellow Box Blakely's Red Gum Woodland (Box Gum Woodland). This TEC was not considered to be consistent with the associated listing under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* due to the absence of native understorey (as shown in **Figure 8** below).

The current Planning Proposal aims to conserve sensitive areas of the subject site through the application of the RE1 Public Recreation Zone and that such areas would not form part of the future developable residential area. Notwithstanding, the land's environmental and biodiversity value would need to be fully investigated and assessed in accordance with the relevant requirements of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* and the NSW *Biodiversity Conservation Act 2016*. This process would result in the culmination of a Biodiversity Development Assessment Report (BDAR), which would form part of the future Development Application process for the sustainable subdivision of the land.

General comment

Based on the information included with this current Planning Proposal, it would be fair to say that the Proponent has actively pursued the need to fully consider the land's development capabilities in context with its environmental and biodiversity values and in context with the perceived future character of Wagga Wagga and the surrounding lands. By doing so, the Proponent has demonstrated a strong commitment to due process and the need for careful site planning and design.

Should the current Planning Proposal come to fruition, this same commitment would continue to be pursued through the development process with the aim to produce sustainable housing and lifestyle opportunities in which the preservation and conservation of the land's environmental and biodiversity values are duly recognized and appreciated.

For instance, at the time of subdivision, suitably worded positive covenants could be created over the proposed R5 Large Lot Residential Zone allotments on which hollow bearing trees, mature (non-hollow bearing) trees, PCT227 and other areas of sensitivity have been identified. The covenants could:

- Require the establishment of a suitably located building envelope,

- Preclude development outside of the nominated envelope, and
- Prohibit the removal of trees.

The location of the nominated envelopes would be at the discretion of Wagga Wagga City Council and would be subject to site investigation prior to the preparation of the final plan of subdivision, having particular regard to the protection of existing trees, the type of boundary fencing, and the location of driveway access points and driveways within individual lots.



Figure 7: Biodiversity Values Map as extracted from the Biodiversity Assessment Report prepared by NGH Consulting [dated October 2020]

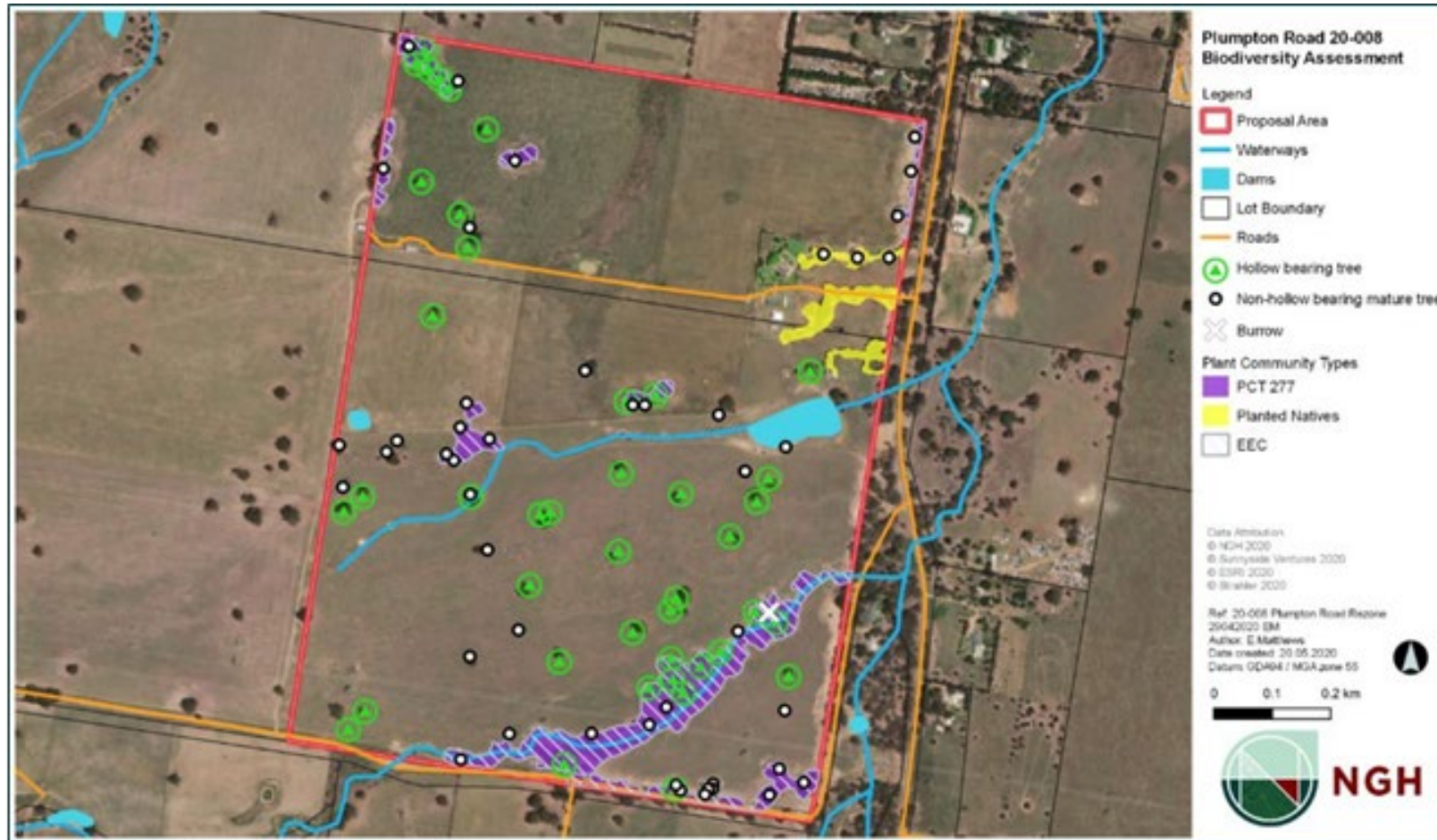


Figure 8: Biodiversity Features Map as extracted from the Biodiversity Assessment Report prepared by NGH Consulting [dated October 2020]

4.3.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No. The current Planning Proposal would have no additional environmental effects to those identified and discussed in this Report.

4.3.3.3 Has the Planning Proposal adequately addressed any social and economic effects?

The current Planning Proposal would have a positive social and economic effect in that it would facilitate the orderly and proper development of the subject land for residential/rural residential purposes, which would offer choice in housing type, lifestyle opportunity and affordability without adverse environmental consequence and/or impact on existing service infrastructure.

As facilitated by the current Planning Proposal, suitable open space will be provided by the Proponent to the satisfaction of the Wagga Wagga City Council as part of any subsequent subdivision of the land. Future open space commitments would be located and designed to enhance recreational opportunities both internal to the subdivision and the broader community of Wagga Wagga. The nature and extent of the open space components would be reflective of adopted and applied Council policy and would be finalised as part of any subsequent Development Application lodged with Council.

In addition, it is likely that the developer contributions would be levied on the Proponent of any future subdivision in accordance with Council adopted and applied policy for the provision/maintenance of open space and/or community facilities. The contribution(s) would normally be in the form of a 'one off' payment, the monetary value of which would be determined at the time of payment and following the favourable determination of any subsequent development application lodged with Council for the subdivision of the land.

4.3.4 Section D – State and Commonwealth Interests

4.3.4.1 Is there adequate public infrastructure for the Planning Proposal?

Yes. As detailed below, public infrastructure would be available to the land.

Sewerage Infrastructure

A Preliminary Sewage Report was prepared by John Randall Consulting Pty Ltd to present a concept sewer servicing strategy for the future subdivision of the land and to demonstrate that the sewer services can be provided via an extension of the existing infrastructure. A copy of the Preliminary Sewage Report is included at Appendix D of the Preliminary Assessment Report (refer to **Appendix A**).

In summary, the following points are noted:

- Future development is intended to be provided with a conventional sewerage system based on gravity flows within the sewerage pipe network.
- Based on an anticipated design flow of 32.75 litres per second, a 225mm dia. sewer main would be suitable to convey the discharge from the north east corner of the site to the point of connection to the city sewerage network at the intersection of Plumpton Road and Nelson Drive, as nominated by Council's Manager Technical & Strategy.
- Based on the distance (1,735 metres) and levels (site ground surface approx. RL215m, connection point ground surface approx. RL202m), the sewer main along Plumpton Road from the subject land to the nominated connection point, could be constructed at up to 6-7 percent grade, subject to other services constraints within the verge. Given the minimum grade is 0.75 percent, the existing conditions provide for flexibility in the design.
- The costs associated with extension of the existing sewerage infrastructure would be borne by the developer.

Further to the Preliminary Sewage Report, a Precinct Sewage Report was prepared by John Randall Consulting Pty Ltd to address the matters for consideration raised by Wagga Wagga City Council during preliminary consultation. A copy of the Precinct Sewage Report is included at **Appendix D** of this Planning Proposal. In summary, the Precinct Sewage Report concluded the following:

- Based on advice provided by Wagga Wagga City Council, the identified precinct is part of a broader catchment from which sewage flows to the Koorungal Sewage Treatment Plant (KSTP).
- The KSTP has the capacity to manage an additional 522 equivalent tenements (ET) across the catchment after which it would require upgrading or a second STP constructed to manage future flows.
- The Koorungal Sewage Pumping Station (KSPS) services almost the entire residential catchment of the KSTP. The KSPS has the capacity to manage an additional 420 ET across the catchment after which the KSPS may require upgrading or a second SPS constructed to manage future flows from the catchment.
- Based on a number of hypothetical development scenarios for the identified precinct, the KSTP and KSPS would need to be upgraded to manage the additional load should part or all of the precinct be developed. The upgrade would not be required immediately, however Wagga Wagga City Council would need to initiate further studies as to the possible alternatives for the KSTP and KSPS upgrades.
- Upgrading/augmentation of the KSPS and KSTP could be staged over time to mirror the requirements of the full development of the precinct.
- The existing sewer running north from the intersection of Plumpton Road and Nelson Drive would require upgrading or augmentation should the precinct be developed and discharged through this sewer. Notwithstanding, interrogation of the Wagga Wagga City Council sewer model and discussions with Council's engineers would be required to further analyse the required upgrading of the Plumpton Road sewer and possible alternatives within the catchment for diverting sewage flows or for an alternative route for discharge from the eastern catchment.
- Future development of the subject land with circa 400 dwellings would be developed over a period of several years with possibly 50 to 100 allotments in the initial stage then subsequent stages of approximately 50 allotments per year depending on demand. In this scenario, the maximum sewage discharge from the development would not occur for approximately 8 to 10 years and would absorb all the spare capacity in the KSPS and KSTP.

As per the above, it is unrealistic to assume that the spare capacity in the KSPS and KSTP would be dedicated to the future development of the subject site in isolation and to not allow other areas within the catchment to be developed over the same period. On this basis, the Proponent would be amenable to negotiating a shared funding arrangement with Wagga Wagga City Council to upgrade the KSTP and KSPS as required to support future development of the precinct.

Water Infrastructure

Riverina Water County Council (RWCC) is the water supply authority for the Wagga Wagga City Council LGA. Based on the preliminary advice provided by RWCC (refer to Section 2.10.4 of the Preliminary Assessment Report at **Appendix A**), the existing reticulated water infrastructure within the Plumpton Road reservation does not have sufficient capacity to cater for the future subdivision of the land as promoted by the current Planning Proposal. As such, new service infrastructure would need to be constructed and commissioned as part of the subdivision process to increase the supply capacity south of the Plumpton Road and Gregadoo Road intersection. The cost of these works would be borne by the developer and would be in accordance with the requirements of RWCC.

Advice was also sought from RWCC in relation to the extent of the upgrading/augmentation works that would be required to service a broader southern precinct (inclusive of the subject site). An outline of the advice provided is included in the Precinct Water Supply Report prepared by John Randall Consulting Pty Ltd (refer to **Appendix F**). In summary, the following points were noted:

- There are existing water mains servicing part of the broader precinct. Whilst some of this infrastructure could be extended to supply additional development, some of the existing water supply infrastructure would need to be upgraded to supply any additional development.

- There is insufficient capacity within the system in its current configuration to supply the scale of development indicated. To overcome this, infrastructure upgrades to the water main network, pumping operations and reservoir storage would be required to service the whole of the precinct.
- Further detailed analysis would be required to determine the scope of works required to supply the intended future development of the precinct (either fully or in part), as well as detail any service or supply limitations or restrictions.
- The broader precinct is at a serviceable elevation, however the land is currently supplied by two separate water supply systems due to capacity and elevation. This adds complexity to the analysis of the subject land, as it involves the water main network, but also numerous reservoirs, pump stations and treatment plants spread over multiple systems.
- At present, there has not been any detailed analysis done regarding water supply in this area relating to future development on this scale. The subject land is at the very southern side of the Wagga Wagga reticulation network. The land would form a significant development area and would therefore, require assessment and analysis to determine any more detailed information regarding the serviceability of the subject land.
- As the development of the area would occur over considerable time, the upgrades could be undertaken incrementally as required as the area was developed.

Noting the above, the Proponent is amenable to continuing the dialogue with RWCC and Wagga Wagga City Council to assist with the implementation of a strategy designed to deliver the required water infrastructure for the future development of the broader southern precinct.

Stormwater Infrastructure

A Preliminary Site Stormwater Management Plan (PSSMP) was prepared by WMA Water to consider the management of stormwater flows through the subject site and the generation of drainage flows resulting from the future subdivision of the land. A copy of the PSSMP is included at Appendix E of the Preliminary Assessment Report (refer to **Appendix A**). In addition to this, WMA Water also prepared a high-level stormwater drainage service strategy for a broader southern precinct that assesses flow conveyance (overland flow paths) and peak flow mitigation (retarding basins) required to manage the impact of future development on the downstream drainage system. A copy of the Precinct Stormwater Drainage Strategy (PSDS) is included at **Appendix C** of this Planning Proposal.

In summary, the PSSMP and PSDS demonstrate that the subject land and broader southern precinct can be developed using best practice stormwater management principles and techniques as prescribed in the Wagga Wagga City Council Development Control Plan and the Wagga Wagga City Council Engineering Guidelines for Subdivision and Development Standards. Notwithstanding, the modelling and management plans are conceptual only and the functionality would need to be further tested during the functional design stage for the future subdivision of the land. The costs associated with the implementation of sustainable stormwater infrastructure would be borne by the developer.

Electrical Infrastructure

An assessment of the existing electrical infrastructure has been undertaken and is detailed in the Electrical Report prepared by Delta Star Designs Pty Ltd, which is included at Appendix F of the Preliminary Assessment Report (refer to **Appendix A**). In summary, a maximum of 1,000kVA load can be connected as part of the future subdivision process with minimal augmentation required of the external network. Loads above 1,000kVA would require the reconductoring of 1km of existing overhead lines to maintain the required voltage levels for urban development. The costs associated with these works would be borne by the developer in accordance with the requirements of the individual supply authority (i.e. Essential Energy).

Telecommunications Infrastructure

Telecommunications infrastructure is available within the immediate area, which may or may not have spare capacity to cater for the future subdivision of the land for large lot residential purposes. New telecommunications infrastructure would need to be constructed and commissioned as part of the future subdivision process or upgraded as warranted to cater for the additional demand generated. The cost of these works would be borne by the developer in accordance with the requirements of the supply authority.

Waste Services

The subject land is not currently served by a municipal waste collection. However, the land adjoins an existing residential precinct that is catered for and it is considered this would enable existing waste collection services to be expanded without significant issue.

Traffic and Transport

Potential impacts associated with the proposed re-zoning and subsequent subdivision of the subject land on the capacity and function of road infrastructure has been the subject of detailed investigation and reporting. The process culminated in the preparation of a report prepared by John Randall Consulting entitled 'Preliminary Traffic Assessment Report' (dated August 2020) (refer to Appendix G of the Preliminary Assessment Report).

The Traffic Assessment Report concludes that the subject land is serviced by existing Local and National road infrastructure having sufficient operational function and capacity (without upgrading) to cater for the future subdivision and development of the land. The Report also acknowledges that Wagga Wagga is serviced by local bus and taxi services, which would be available to the subject land (either directly or subsequent to an expansion of the service routes).

The Report also acknowledges the need to ensure adequacy in the design of future roads in the subdivision of land and that active pedestrian and cycle travel routes should be integrated into the final subdivision design. The Urban Design Report prepared by SIVA Projects presents a sustainable road layout and hierarchy and an interconnected network of pedestrian/cyclist shared pathways that will enhance connectivity and encourage active travel and the use of public transport.

Further to the Preliminary Traffic Assessment Report, a report entitled 'Precinct Traffic Considerations' was prepared by John Randall Consulting Pty Ltd to address the matters for consideration raised by Wagga Wagga City Council during preliminary consultation. A copy of the Precinct Report is included at **Appendix E** of this Planning Proposal. In summary, the Report concluded the following:

- Based on a number of hypothetical development scenarios for the identified precinct, the road that would be impacted the greatest is Plumpton Road with the potential volume of traffic exceeding its classification as a sub-arterial road – and becoming an arterial road.
- Planning of the area will determine the ultimate traffic volumes and direction of flows. If the area is purely residential then significant volumes of traffic will flow towards the city and employment areas. However, if the planning includes employment centres, shops, childcare facilities etc and promotes active travel then the traffic flows could be significantly different to a primarily residential estate.
- Further detailed traffic analysis and modelling would be required as the indicative area for the investigation was planned and developed.

4.3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

There has been no formal consultation with State and Commonwealth public authorities. As required, such consultation would be conducted post-Gateway Determination.

At this stage, the Government agencies identified for consultation are:

- Commonwealth Department of Environment and Energy
- Department of Planning, Industry and Environment (including the Environment, Energy and Science Group)
- Department of Primary Industries
- NSW Rural Fire Service
- Roads and Maritime Services
- Natural Resource Access Regulator

4.4 Part 4 – Mapping

Changes to the proposed map sheets will be undertaken by Wagga Wagga City Council in a suitable format for public exhibition once the Gateway Determination is issued. This Planning Proposal will result in changes to the following WWLEP 2010 maps:

LZN_004E

Amend Map Sheet LZN_004E by:

- Deleting the RU1 Primary Production Zone from all of Lots 23 and 25 DP757246
- Applying an R5 Large Lot Residential Zone to part of the land
- Applying an RE1 Public Recreation Zone to part of the land

LSZ_004E

- Deleting the AE 200 hectare minimum lot size from all of Lots 23 and 25 DP757246 proposed to be R5 Large Lot Residential.
- Applying the U1 1,000m² minimum lot size to that part of the land proposed to be zoned R5 Large Lot Residential.

URA_

- Creating a new Urban Release Area Map Sheet that identifies the land within the subject site as being within an Urban Release Area (URA)

Refer to **Figures 9 – 13** below for examples of the proposed mapping amendments.



Figure 9: Current Zoning Under the WWLEP 2010 (<https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/lot>, December 2020)

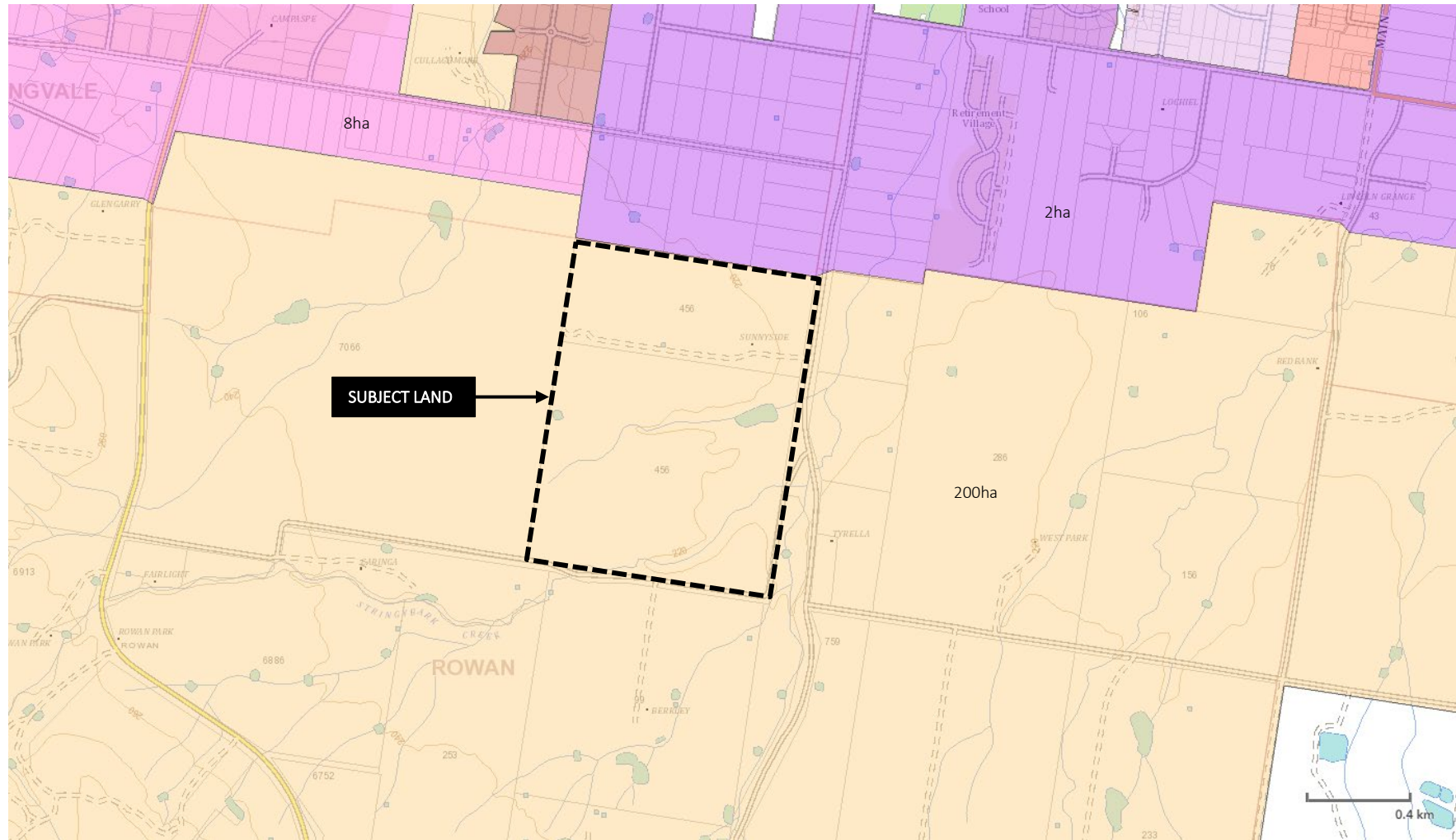


Figure 10: Current Minimum Lot Size Zoning Under the WWLEP 2010 (<https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/lot>, December 2020)

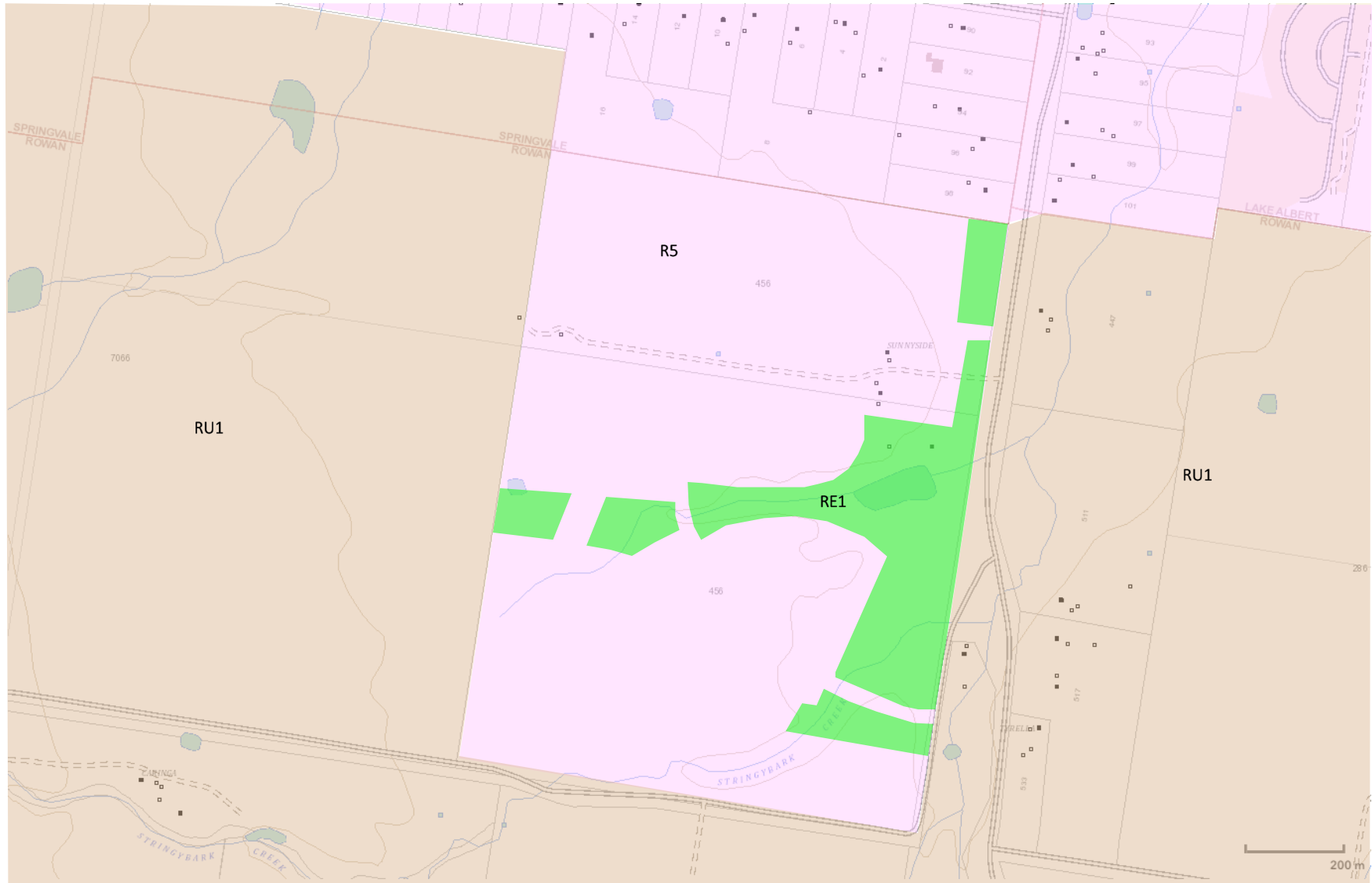


Figure 11: Proposed Zoning Under the WWLEP 2010

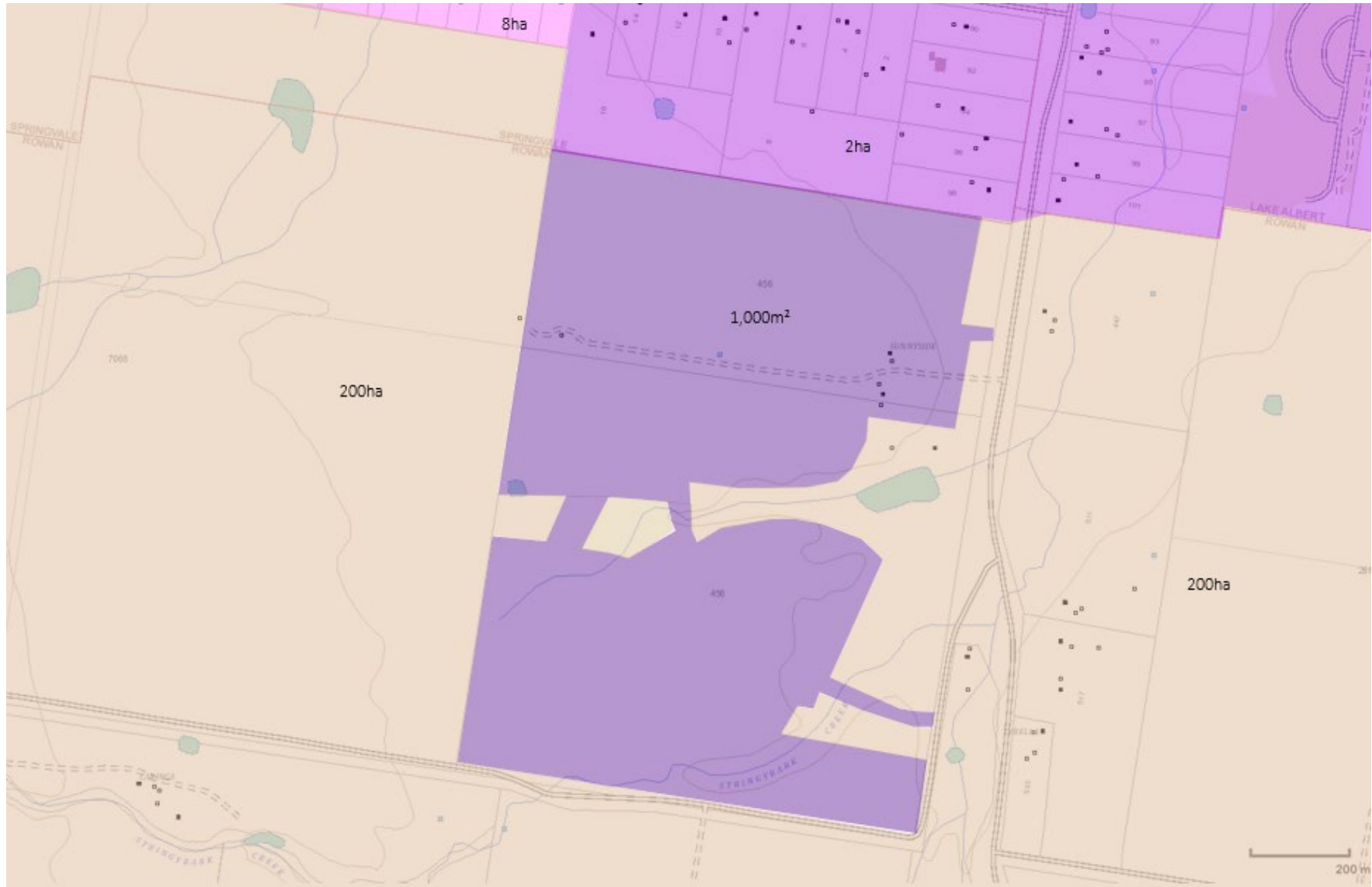


Figure 12: Proposed Minimum Lot Size Zoning Under the WWLEP 2010

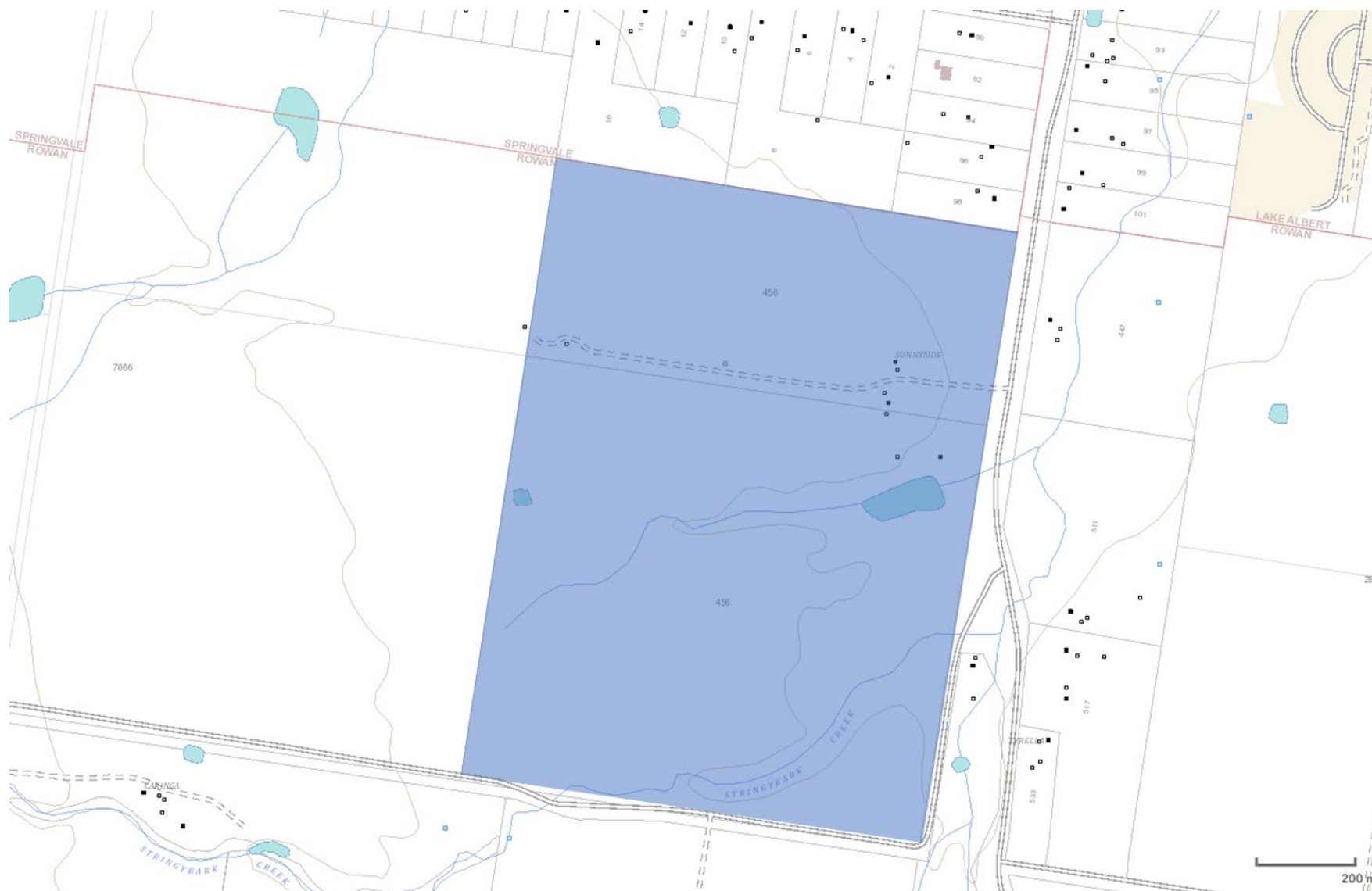


Figure 13: Proposed Urban Release Area Under the WWLEP 2010

4.5 Part 5 – Community Consultation

The Gateway Determination will confirm community consultation requirements. It is likely that the Planning Proposal would be exhibited for a period of not less than 28 days.

Public exhibition of the Planning Proposal is likely to include notification on the Wagga Wagga City Council website, newspapers that circulate widely in the region and in writing to affected adjoining and adjacent landowners.

Information relating to the Planning Proposal would also be on display at Wagga Wagga City Council's Administration Office – No. 243 Baylis Street, Wagga Wagga NSW.

4.6 Part 6 – Project Timeline

The Project Timeline will assist with tracking the progress of the Planning Proposal through the various stages of consultation and approval and would be prepared by Wagga Wagga City Council.

5 Summary and Recommendations

The submitted Planning Proposal seeks an amendment to the WWLEP 2010 to re-zone privately owned land, being Lots 23 and 25 DP757246, Plumpton Road, Rowan, from RU1 Primary Production to part R5 Large Lot Residential and part RE1 Public Recreation. The Planning Proposal also seeks to adopt appropriate planning controls that will assist in facilitating a future subdivision for residential purposes.

This will be achieved by amending the WWLEP 2010 as follows:

- Amending Map Sheet LZN_004E for land within the subject site to replace the existing RU1 Primary Production Zone with part R5 Large Lot Residential and part RE1 Public Recreation with area specific minimum lot size requirements.
- Amending Map Sheet LSZ_004E for land within the subject site to replace the existing (AE) 200 hectare minimum lot size with the following:

- (U1) 1,000m² minimum lot size for that part of the land proposed to be zoned R5 Large Lot Residential.

NOTE: Whilst the Planning Proposal seeks to adopt a 1,000m² minimum lot size for part of the land, it is the Proponent's vision that the future subdivision of the land would comprise variably sized allotments ranging between 1,000m² to 1,300m²+ so as to achieve a high-quality large lot residential outcome and to reflect site-specific environmental attributes (i.e., the retention of significant native vegetation).

NOTE: For that part of the land proposed to be zoned as RE1 Public Recreation, it is intended that the exiting (AE) 200-hectare minimum lot size provision would continue to apply.

- Preparing a new Urban Release Area Map Sheet that identifies the land within the subject site as being within an Urban Release Area (URA).

NOTE: Based on the information contained within this Planning Proposal submission, it is recommended that Wagga Wagga City Council consider the application of the URA overlay to a broader southern precinct (inclusive of the subject land) so as to provide greater certainty for the provision of infrastructure to the south of the Wagga Wagga city centre.

- With the exception of the amendments documented above, retain the existing land use tables and controls governing subdivision, the erection of dwelling and environmental integrity as prescribed by the provisions of the WWLEP 2010.

The Planning Proposal accords with the objectives of the Riverina Murray Regional Plan, applicable SEPPs and Section 9.1 Directions as well as the local strategic directions and plans adopted by the Wagga Wagga City Council. There would also be no significant adverse environmental, social or economic impacts arising as a result of the Planning Proposal.

It is therefore requested that Wagga Wagga City Council resolve to forward this Planning Proposal to the NSW Department of Planning, Industry and Environment for Gateway Determination in accordance with the *Environmental Planning and Assessment Act 1979*.