

## **REPORTS FROM STAFF**

### **RP-1 PLANNING PROPOSAL - LEP21/0003 - 20 HELY AVENUE - AMENDMENT TO LAND ZONING OF THE WAGGA WAGGA LOCAL ENVIRONMENTAL PLAN 2010 AND AMENDMENT TO WAGGA WAGGA DEVELOPMENT CONTROL PLAN 2010**

**Author:** Crystal Atkinson

**Executive:** John Sidgwick

**Summary:**

At its Ordinary Meeting on 30 May 2022, Council resolved to support Planning Proposal LEP21/0003 and seek a Gateway Determination from the NSW Department of Planning and Environment.

The planning proposal sought to amend land zoning provisions for land located at 20 Hely Avenue, Wagga Wagga from SP2 Education to R1 Residential.

Council received Gateway Determination on 14 October 2022 authorising the planning proposal to proceed, subject to public exhibition.

The planning proposal and associated amendment to Wagga Wagga Development Control Plan 2010 was placed on public exhibition from 5 November 2022 to 16 December 2022 (inclusive).

The purpose of this report is to provide feedback on the public consultation and submissions received. The report also requests adoption and gazettal of the amendment to the Wagga Wagga Local Environmental Plan 2010.

## **Recommendation**

That Council:

- a note the results of the public exhibition for Planning Proposal LEP21/0003
- b adopt planning proposal LEP21/0003 to amend the Wagga Wagga Local Environmental Plan 2010
- c gazette the plan and notify landowners and NSW Department of planning and Environment of the decision
- d adopt the amendments to the Wagga Wagga Development Control Plan 2010 with the recommended amendments identified in the report and provided notification of the adoption online

## Application Details

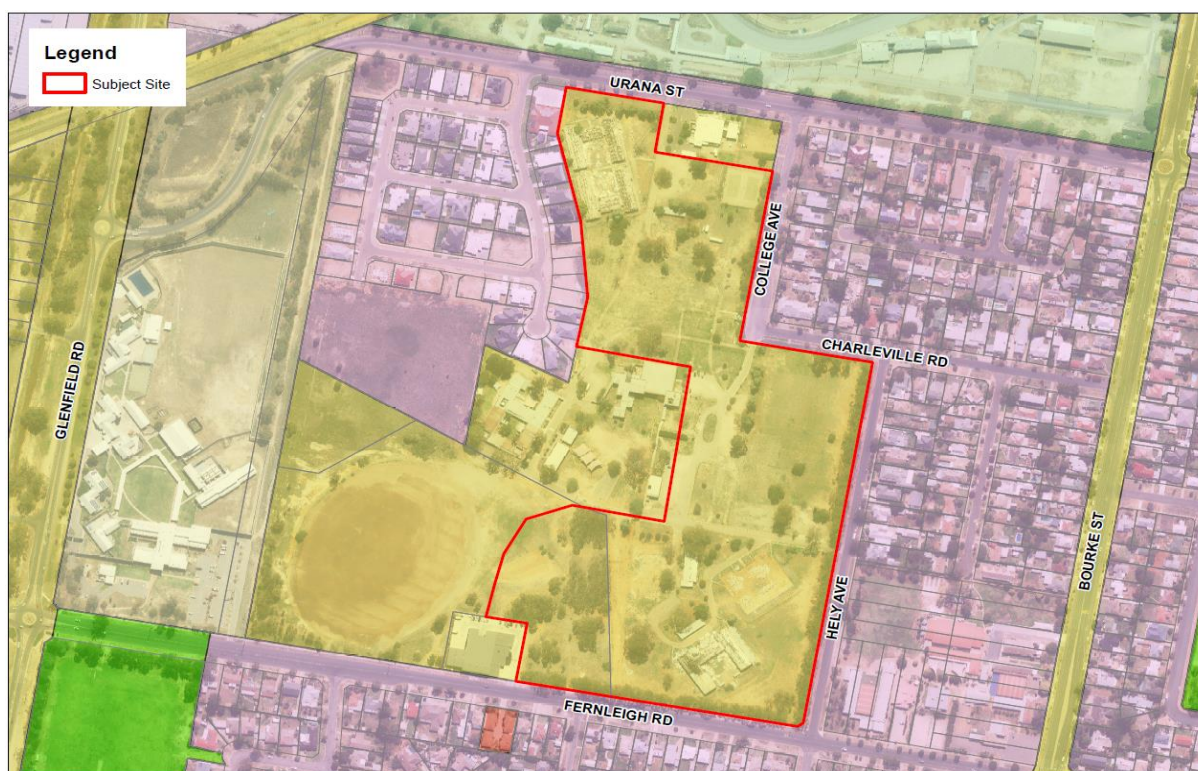
<b>Submitted planning proposal</b>	Council is in receipt of planning proposal (LEP21/0003) to amend the land zoning from SP2 Education to R1 General Residential.
<b>Applicant</b>	Signature Care Holdings Pty Ltd
<b>Landowners</b>	Signature Care Holdings Pty Ltd Directors: <ul style="list-style-type: none"> <li>▪ Ramsay James Croft</li> <li>▪ Amal Maree Witnish</li> <li>▪ Stephen David Pollock</li> <li>▪ Graeme Ramsay Croft</li> </ul>

## Proposal

Council is in receipt of a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) to amend the land zoning from SP2 Education to R1 General Residential (**Attachment 1**).

The purpose of the planning proposal is to facilitate residential development on a large, underutilised site within proximity to the city centre.

Changes proposed in the application would be achieved by amending the land zoning map to rezone the subject areas shown in figure 1 to R1 General Residential.



**Figure 1:** Subject land

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## Gateway Determination

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The NSW Department of Planning and Environment issued a Gateway Determination for the planning proposal on 14 October 2022. A copy of the Gateway Determination is provided as **Attachment 3**.

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## Development Control Plan

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As a result of the outcomes sought by the planning proposal, a subsequent amendment is also proposed to the Wagga Wagga Development Control Plan 2010. Specifically, the DCP provides offset and species selection provisions to manage biodiversity retention and salinity mitigation and clear requirements for remediation.

The exhibited amendment is provided as **Attachment 2**.

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## Public Exhibition

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The planning proposal and accompanying exhibition material were placed on public exhibition from 5 November 2022 to 16 December 2022 (inclusive).

During the exhibition period, no submissions were received.

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## Financial Implications

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In accordance with Council's 2021/22 Fees and Charges, a Complex LEP Amendment Fee of \$46,000.00 applied at the time of the application being submitted. The proponent has paid these fees.

It is anticipated that the LEP amendment will result in development applications for residential development in the future. Council's contribution plans and development servicing plans enable Council to levy contributions and developer charges based on the likely increased demands that the new development will have.

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## Policy and Legislation

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Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2000  
Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040  
Wagga Wagga Local Environmental Plan 2010  
Wagga Wagga Development Control Plan 2010

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## Link to Strategic Plan

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### The Environment

Objective: Future growth and development of Wagga Wagga is planned for in a sustainable manner

Ensure sustainable urban development

## Risk Management Issues for Council

The planning proposal process requires consultation and engagement with affected landowners and the wider community to understand concerns. Further concerns can be raised at the development application stage and will be further considered at that time.

Mitigating salinity through offset provisions and retention of trees and deep-rooted plants will assist in managing salinity risks within the area. Whilst offset plantings, once established, will contribute to reducing ground water, establishing vegetation can take time and clearing within this area has risks of exacerbating salinity issues. Specific controls have been developed within the DCP provisions to ensure salinity is considered at DA stage.




## Internal / External Consultation

During the exhibition period, no submissions were received.

The following engagement methods were used.

	Mail		Traditional Media				Community Engagement				Digital					
	Rates notices insert	Direct mail	Letterbox drop	Council news	Media release	Media opportunity	TV/radio advertising	One-on-one meeting(s)	Community meeting(s)	Stakeholder workshop(s)	Drop-in session(s)	Survey/feedback form(s)	Connect Wagga	Email newsletter	Social media	Website
Inform																
Consult		<input checked="" type="checkbox"/>											<input checked="" type="checkbox"/>			
Involve																
Collaborate																
Other methods (please list specific details below)																

## Attachments

1.  LEP21/0003 - Addendum and Planning Proposal
2.  Wagga Wagga Development Control Plan 2010 - Amendment
3.  LEP21/0003 - Gateway Determination

# **Wagga Wagga City Council**

## **Planning Proposal**

### **Amendment to the Wagga Wagga Local Environmental Plan 2010**

**LEP21/0003 – 20 Hely Avenue, Turvey Park**

**Date of Planning Proposal:**

29 June 2022

Updated

8 August 2022

4 November 2022

**Contact:**

Crystal Atkinson  
Senior Strategic Planner  
Wagga Wagga City Council  
Phone: 1300 292 442

Email: [council@wagga.nsw.gov.au](mailto:council@wagga.nsw.gov.au)

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## ADDENDUM

Council is in receipt of a planning proposal to amend the Wagga Wagga Local Environmental Plan. The application is provided in appendix 1.

A Gateway determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979* is requested.

Council endorses the planning proposal with the following addendums:

- Explanation of provisions
- Environmental, social and economic impact
- State and commonwealth interests
- Mapping
- Community consultation
- Project timeline

Council is seeking delegations to make this plan as the matters contained in the Planning Proposal are of local significance. The evaluation criteria for the delegation of plan making functions checklist is provided. In addition, the completed Information Checklist is provided with this proposal.

## PART 2 – EXPLANATION OF THE PROVISIONS

The outcomes are intended to be achieved by amending map sheets LZN\_004D:

LEP21/0003 - Proposed change to land zoning

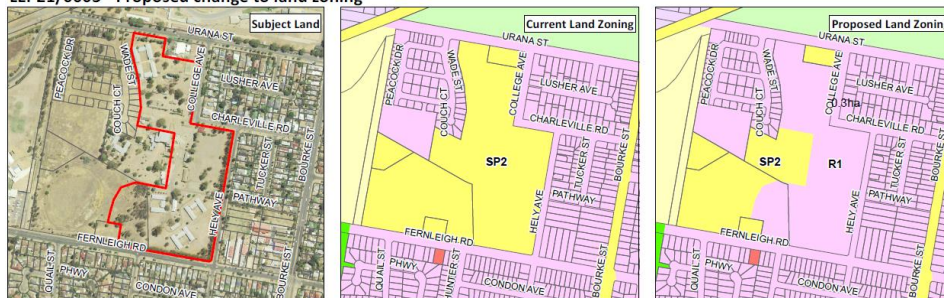


Figure 1: Proposed land zoning changes

## Section C – Environmental, social and economic impact

**Has the planning proposal adequately addressed any social and economic effects?**

### Heritage

The site is currently listed as a heritage item; I245 being Lot 2 DP1183166, Charles Sturt University, South Campus.

Wagga Wagga Urban Heritage Study, 2002, Volume 3 identifies the site as comprising a mixture of World War II and more recent buildings and a pair of wrought iron gates (dedicated to Dame Mary Gilmore) and nearby a gatehouse. The Blackmore Building (Blakemore Memorial Library) is identified as significant. The building was constructed between 1969 and 1970 and representative of the push towards more modern (masculine) architecture.

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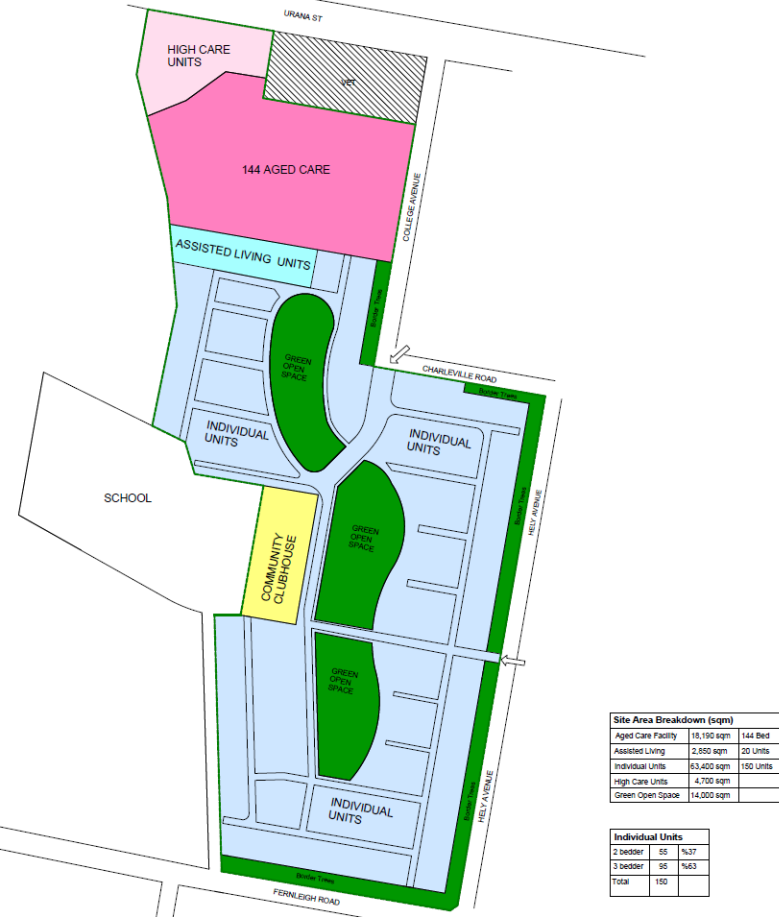
The site is subject to an existing subdivision approval (DA21/0108) which will see the Blakemore Building retained as part of the St Mary McKillop School and retained and utilised by the School.

The planning proposal is accompanied by a Statement of Heritage Impact which concludes an update to the Wagga Wagga Local Environmental Plan, Schedule 5 heritage listing with the new lot and DP details will be appropriate. Updating the listing as part of this proposal is not possible as the subdivision has not yet been registered and new lot and DP details identified. A future amendment to Schedule 5 will be required.

Aged Care

A Site Compatibility Certificate was issued on 25 July 2018 for the site for a Staged Senior Housing Development comprising of the following:

- 144 beds – aged care facility (Stage 1) (DA19/0001 approved, currently under construction)
- High care units
- 20 assisted living units
- 150 self-care units
- Community clubhouse
- Landscaped open space





The Planning Proposal will facilitate general residential development in the location formerly identified for 150 self-care units, reducing the number of seniors living options proposed for construction within the city.

The 2021 Census of Population and Housing identifies there is 7,905 residents within the Wagga Wagga Local Government Area aged 70 and over. This is an increase of 1,349 residents from 2016. This age group makes up just under 12% of the Wagga total population.

Understanding the need and planning for seniors housing in Wagga Wagga is yet to be identified through an adopted strategy. In the absence of a housing strategy addressing seniors housing needs, development will be market driven as seen with this planning proposal.

With approval and construction of the 144-bed aged care facility having substantially commenced, rezoning this part of the site for residential purposes doesn't pose a risk for the age care facility being abandoned.

#### Density

The former CSU South Campus site has been transitioning to a residential estate, with the first residential transition occurring immediately north-west of this site as part of the 'College Estate' development. During planning for the transition and the site and development of College Estate, the stormwater pipe network was designed and constructed to cater for the full residential development of the site at a similar lot size pattern of that developed in College Estate.

Whilst the sites proximity to the city centre and services lends itself to higher density development, application of a medium density zone and accompanying development controls have historically created challenges for higher density developments making them unviable. In the absence of a residential strategy being prepared and adopted to inform key changes to the planning controls for higher density development, the general residential zone is an appropriate alternative that allows for higher density forms of residential accommodation.

#### Education

The subject site has a long history and association with education, specifically, Charles Sturt University. The University identified this site as surplus to the needs of the University Operations and the site was acquired by Croft Developments in 2018.

Education will continue to be a prominent feature of the area with both Saint Mary MacKillop College and Charles Sturt University Kay Hull Veterinary Teaching Hospital being retained. The rezoning acknowledges and provides for residential development on privately owned land.

### **Section D – State and Commonwealth interests**

#### **What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

No consultation has occurred with any public authorities prior to preparation and lodgement of the planning proposal.

The views of State and Commonwealth public authorities will be sought once the Gateway Determination has been issued.



#### PART 4 – MAPPING

The planning proposal seeks to amend the following maps:

Land Zoning Map:

- LSZ\_004D

Council requests the ability to lodge the template maps at S3.36 stage rather than prior to exhibition. The maps provided as part of the planning proposal are detailed enough for public exhibition purposes.

#### PART 5 – COMMUNITY CONSULTATION

A 28-day public exhibition is suitable for this proposal.

The requirement to notify affected and adjoining landowners within the planning proposal will be met.

#### PART 6 – PROJECT TIMELINE

Task	Anticipated timeframe
Anticipated date of Gateway Determination	October 2022
Pre-exhibition	October 2022
Commencement and completion dates for public exhibition.	5 November to 16 December 2022
Dates for public hearing	N/A
Consideration of submissions	December – January 2022
Post-exhibition review and additional studies	February 2022
Submission to the Department for finalisation	March 2022
Gazettal of LEP amendment	April 2023



**Appendix 1: Application to amend Wagga Wagga Local Environmental Plan.**



# PLANNING PROPOSAL



## Wagga Wagga LEP2010 Amendment - Rezoning College Avenue/Hely Avenue, Turvey Park, Wagga Wagga NSW



Prepared for Croft Developments  
Rev 2.0 – Nov 2021

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SALVESTRO PLANNING

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**Salvestro Planning**

16 Fitzmaurice Street  
PO Box 783  
WAGGA WAGGA NSW 2650

Telephone: (02) 6921 8588  
Facsimile: (02) 6921 8388  
Email: [admin@salvestroplanning.com.au](mailto:admin@salvestroplanning.com.au)  
Website: [www.salvestroplanning.com.au](http://www.salvestroplanning.com.au)

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## Planning Proposal – LEP Amendment - Rezoning

College Avenue/Hely Avenue, Turvey Park, Wagga Wagga NSW

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AARNet	Australian Academic and Research Network
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
APA	APA Group (Gas) – Australian Pipeline Trust
BC	Biodiversity Conservation Act 2016
BDAR	Biodiversity Development Assessment Report
BOS	Biodiversity Offsets Scheme



## SALVESTRO PLANNING

BV	Biodiversity Value
CSP	Community Strategic Plan 2040
CSU	Charles Sturt University
DA	Development Application
DPIE	Department of Planning Industry & Environment
DSI	Detailed Site Investigation
EE	Essential Energy (Electricity)
EP&A Act	Environmental Planning & Assessment Act 1979
EPBC	Environment Protection and Biodiversity Conservation Act 1999
ITS	Integrated Transport Strategy and Implementation Plan 2040
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
LLS	Local Land Services Act 2013
LSPS	Local Strategy Planning Statement
LZN	Land Zoning Map
NBN	National Broadband Network
NIA	Noise Impact Assessment
NVR	Native Vegetation Regulatory Map
PMST	Protected Matters Search Tool
PSI	Preliminary Site Investigation
RAP	Remediation Action Plan
RMRP	Riverina Murray Regional Plan 2036
ROSC	Recreation, Open Space and Community Strategy 2040
SAR	Site Audit Report
SAS	Site Audit Statement
SEPP	State Environmental Planning Policy
SMMC	Saint Mary MacKillop Colleges
TEC	Threatened Ecological Community
TIA	Traffic Impact Assessment
WMP	Waste Management Plan
WWBSM	Wagga Wagga Biodiversity Strategy: Maldhangilanha 2020-2030
WWCC	Wagga Wagga City Council
WWLEP	Wagga Wagga Local Environmental Plan 2010

## Planning Proposal – LEP Amendment - Rezoning

College Avenue/Hely Avenue, Turvey Park, Wagga Wagga NSW

### 1 INTRODUCTION

Croft Developments acquired the former Charles Sturt University (CSU) South Campus site in 2018 for the purposes of establishing a seniors housing development on the land. A site compatibility certificate (Ref: SCC\_2018\_WAGGA\_001\_00) was issued at that time to ensure that consideration and approval of the proposed development could occur in a timely manner, prior to finalisation the rezoning of the land.

Subsequently, development approval was given for an aged care facility (DA19/0001) over part of the land with construction underway and a further additional section proposed. The balance of the land is proposed to be partly development for residential housing with the remaining land to continue in operation by Saint Mary McKillop Colleges (SMMC) for education purposes.

An amended subdivision plan is pending approval (DA21/0108) that will define property boundaries related to each proposed use. This Planning Proposal relates to proposed Lots 1 – 4 in the subdivision of Lot 2 DP1183166 and Lot 1 DP1254451. The subject land comprises approximately 12.34 hectares involving those parcels (proposed Lots 1 – 4) bounded by Urana Street, College Avenue, Charleville Road, Hely Avenue and Fernleigh Road, as identified in the figure below.

The land is currently zoned SP2 Infrastructure (Educational Establishment) under Wagga Wagga Local Environmental Plan 2010. This zoning is applicable, and proposed to remain in effect over, the SMMC land (proposed Lot 5). For the balance of the land (proposed Lots 1 – 4) it is proposed to rezone the land to R1 General Residential to confirm future development for both seniors housing and other residential housing, as well as other compatible land uses.

The planning report will demonstrate that there are minimal environmental and infrastructure constraints that would impact the achievement of this Planning Proposal in accordance with current strategic land use policy. The report is structured in accordance with *A Guide to Preparing Planning Proposals (NSW Planning 2018)*.

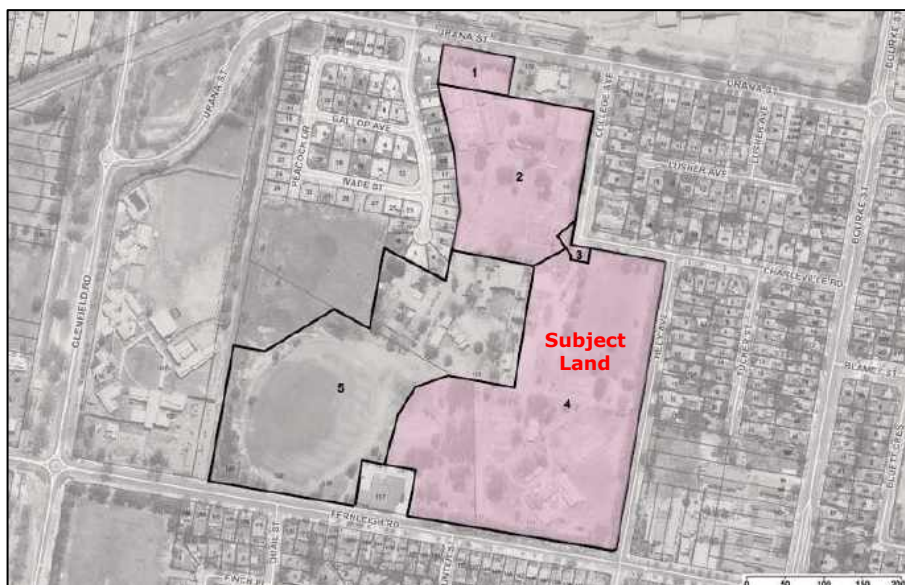


Figure 1: Subject Land (Source: WWCCGIS & SP2021)

## SALVESTRO PLANNING

The proposal is to be read in conjunction with accompanying support documents, reports and plans, as listed below.

**Table 1: Plans and Support Documentation**

Planning Proposal Accompanying Documents – College Avenue/Hely Avenue, Turvey Park (Croft)				
Ref:	Title	Rev	Date	Prepared By
1	Site Photos	-	12/5/21	Salvestro Planning
2	Draft Concept Masterplan	D-1901-20-A	01/11/21	Croft Developments
3	Ecological Assessment	PR20080-IR	11/11/21	Green Tape Solutions
4	Detailed Site Investigation	6459-03	20/12/19	DM McMahon Earth Science
5	Remediation Action Plan	20191001-9	1/7/20	iEnvironmental Australia
6	Site Audit Report	E032	8/7/20	Envirocene
7	Site Audit Statement	JE 78A	8/7/20	Envirocene
8	Arboriculture Assessment Report	-	14/1/21	Wade Ryan Contracting
9	Site Investigation & Pavement Design	6705-0	2/4/20	DM McMahon Earth Science
10	Hydrogeological Assessment	6722-0	13/5/20	DM McMahon Earth Science
11	Statement of Heritage Impact	RevB	14/10/21	Noel Thomson Architecture
12	Stormwater Management Plan	Rev9	20/10/21	Biofilta Pty Ltd
13	Traffic and Transport Assessment Report	V180855-D04	01/11/21	Cardno
14	Traffic Noise Assessment	R180465R1-0	30/3/20	Rodney Stevens Acoustics
15	Waste Management Plan	-	20/4/20	Leigh Design

### 1.1 Subject & Surrounding Land

The subject site is identified as proposed lots 1 – 4 in subdivision of Lot 2 DP1183166 and Lot 1 DP1254451, having frontage to Urana Street, College Avenue, Charleville Road, Hely Avenue and Fernleigh Road, Turvey Park, Wagga Wagga NSW.

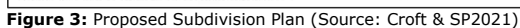
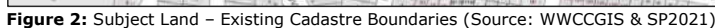
The subject land is located centrally within the greater urban footprint of Wagga Wagga City, approximately 3.0km southwest by public road from the Wagga Wagga CBD, 2.0km to Glenfield (SouthCity) shopping centre, less than 1.0km from the Wagga Wagga Base Hospital medical precinct and immediately south of the Wagga Wagga Showgrounds. The figures below illustrate the existing cadastre and proposed subdivision boundaries, aerial photo features and the site's location relative to key features of the urban area.

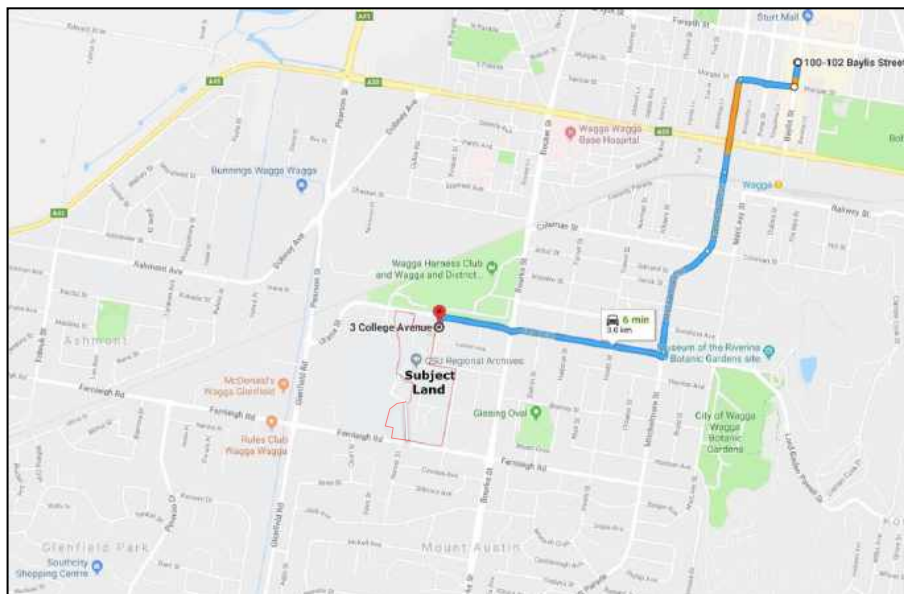
The site was formerly part of the Charles Sturt University Campus (CSU South Campus) and is currently occupied by SMMC, CSU Archives, Riverina Conservatorium of Music and other remnant vacant buildings formerly used for student accommodation by CSU. Several buildings have been demolished as a result of subsequent development approvals across the site.

SMMC occupies other former CSU buildings on the existing parcel of land. SMMC have entered into arrangements to acquire the former CSU Campus buildings and land, as well as having acquired Lot 1 DP1254451 (former CSU sporting oval). A binding agreement with Crofts will result in various parcels of land being subdivided allow continued use of the school and also to allow further development of the land for residential purposes.

As SMMC will continue to use their land (proposed Lot 5) for education purposes, there is no need to rezone their land to an alternate zone, as educational establishments are a nominated permissible use within the current SP2 zoning. SMMC will continue to operate their school on this land for the foreseeable future and will pursue separate development approvals for the expansion of operation of their school premises in accordance with relevant statutory procedures and processes. Immediate works are continuing to secure separate public infrastructure access and connectivity to their land in consultation with relevant authorities.

Similarly, Lot 1 DP1183166, located on the corner of College Avenue and Urana Street, is currently used for veterinary purposes and will not require rezoning to facilitate continued use. The premises operates as a continuing use and their training and educational operations are permissible within the current SP2 zoning.





**Figure 4:** Subject Land – Locality Context (Source: Google Maps 2021)



**Figure 5:** Aerial View of Subject Land and Surrounding Land Uses (Source: Google Maps 2021)



## 2 OBJECTIVES OR INTENDED OUTCOMES

(Part 1 of the Guide)

The objective of this Planning Proposal is to rezone the subject land from SP2 Infrastructure (Educational Establishment) to R1 General Residential to enable additional residential development and other compatible development of the land.

The intended outcomes of this Planning Proposal will be:

- Rezoning an additional 12.34ha of land for residential development;
- Confirming residential zoning over an approved Aged Care Facility located on 3.32ha of the subject land that will provide 180 beds for residential aged care;
- Permit residential development of 9.146ha of serviced urban land that will create approximately 90 dwelling allotments of varying size, associated access roads and open space/recreation areas;
- Enable the construction of additional residential accommodation to house approximately 225 persons;
- Allow other compatible development of the land.

## 3 EXPLANATION OF PROVISIONS

(Part 2 of the Guide)

The proposed outcome of this Planning Proposal will be achieved by amending the zoning plan that applies to the subject land. This will involve preparing an amendment to *Land Zoning Map - Sheet LZN\_004D* from Wagga Wagga Local Environmental Plan 2010. The proposed Land Zoning Map changes are shown below.

There are no other amendments required to the LEP 2010 to progress this Planning Proposal.

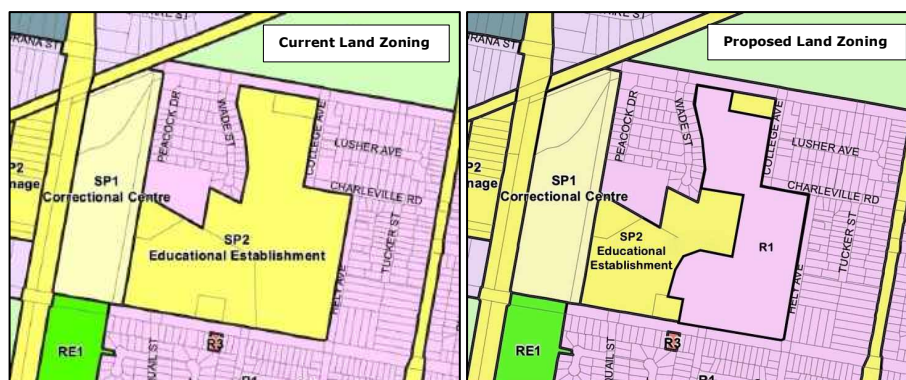


Figure 6: Land Zoning Map (Source: SP & WWLEP2010)

## 4 JUSTIFICATION

(Part 3 of the Guide)

The Planning Proposal seeks to rezone the subject land from SP2 Infrastructure (Educational Establishment) to R1 General Residential in order to facilitate further residential and other compatible development of the land.

Justification for the proposal, including its strategic relevance, is outlined below.

#### 4.1 Need for the planning proposal

##### 4.1.1 **Is the planning proposal a result of any strategic study or report?**

The planning proposal is not the result of a specific study or report over the subject land. The land is within the urban footprint of the adopted Local Strategic Planning Statement where both a diversification of housing types and infill residential development is encouraged.

The Planning Proposal, however, follows on from the preparation of a Site Capatibility Certificate (SCC) over the land for the purposes of permitting a seniors living development on the land. There were certain strategic planning considerations made in the preparation of the SCC that are relevant to this planning proposal and worth noting below.

The SCC was assessed and determined by the NSW Department of Planning & Environment (now DPIE), with date of issued being 25 July 2018. The SCC confirmed:

- Wagga Wagga City Council supports the issuing of a SCC and that site issues, including stormwater management, traffic management and heritage, are matters that can be addressed as part of the preparation and assessment of a development application for the site;
- The site is suitable for more intensive development;
- The development described (community aged care and seniors housing) is compatible with the surrounding environment; and
- The development of the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding land uses.

Requirements imposed by the SCC determination included:

- a. *The management of stormwater, including the on-site management of overland flow, the requirements of on-site detention and the maintenance of existing service easements;*
- b. *The management of potential impacts from urban salinity;*
- c. *Minimising the removal of vegetation, taking into account the safety of residents, buildings, staff and visitors;*
- d. *The management of potential impacts between the interface of the proposed development and adjoining land uses;*
- e. *The management of the internal movement of pedestrian and vehicular traffic;*
- f. *The identification and management of potential traffic impacts on the external road system; and*
- g. *The identification and management of any potential land contamination.*

The above matters were addressed with the preparation, assessment and determination of DA19/0001 (proposed Aged Care Facility).

Consistency with the adopted strategic planning framework is discussed further below in Section 4.2 of this Planning Proposal.

##### 4.1.2 **Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The Planning Proposal is considered to be the best means of achieving the objectives and intended outcomes. The zoning change is the next step to ensuring residential development may occur over the land, following the initial approval of an Aged Care Facility under the previously mentioned SCC.

In the consideration of specialist reports, covering key issues of infrastructure (including stormwater management), site health, vegetation management, salinity, groundwater, noise, traffic, ecology, biodiversity and cultural heritage, together with further consultation with Council, the proposed LEP rezoning amendment is considered the preferred and best approach to facilitate future residential development of the land.



## 4.2 Relationship to strategic planning framework

### 4.2.1 *Is 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)?*

#### **Riverina Murray Regional Plan 2036**

The *Riverina Murray Regional Plan 2036* (RMRP) is applicable to this proposal and establishes a framework to grow the region's cities and local centres, including priorities that emphasise the need to increase the range of housing options in the existing urban area of the City. Its primary goals are:

1. *A growing and diverse economy*
2. *A healthy environment with pristine waterways*
3. *Efficient transport and infrastructure networks*
4. *Strong, connected and healthy communities*

The proposal is generally consistent with relevant objectives and actions including those contained in Directions 21, 22, 25, 26, 28 and 29. These directives are aimed at promoting growth, building housing capacity, providing greater housing choice and protecting cultural heritage assets.

**Table 2: Relevant goals and directions of Riverina Murray Regional Plan 2036**

<b>Goal / Direction</b>	<b>Comment</b>
<b>Goal 3: Efficient transport and infrastructure network</b>	The proposal is connected to existing transport and essential infrastructure networks that have capacity to accommodate additional residential development activity.
<i>Direction 21: Align and protect utility infrastructure investment</i>	The future development of this land will have access to existing urban infrastructure networks and future capacity will be protected in accordance with current local and state policies. Redevelopment of the land for aged care and residential dwellings includes the refurbishment, relocation and upgrading of all essential services to the site. This work is current and ongoing. Relevant Actions addressed: 21.1
<b>Goal 4: Strong, Connected and Healthy Communities</b>	The proposal involves land that is connected via existing transport and infrastructure networks to existing neighbourhoods, community centres and employment sectors. The land is centrally located with the existing urban footprint.
<i>Direction 22: Promote the growth of regional cities and local centres</i>	Wagga Wagga is an important regional centre and has been identified in recent state strategies as a centre for accelerated growth. The proposal is consistent with Action Item 22.1 which promotes good access within regional centres to take advantage of high-level services such as health, education and recreation. The proposal is to be located on land with high levels of accessibility to transport options and access to other essential infrastructure. Relevant Actions addressed: 22.1
<i>Direction 25: Build housing capacity to meet demand</i>	Additional zoned residential land will address the need for additional housing for a growing population. The City is targeted to increase population growth over the next 20 years to meet local and regional economic development strategies. The proposal will assist in meeting supply and demand for the residential dwellings. The proposal is consistent with Action Items 25.2 – 25.4, in particular those referring to the facilitation of increased housing choice, aligning infrastructure planning with land development and locating higher-density development close to existing infrastructure and services. The proposal is to be located on land that is connected to existing essential services and support networks. Relevant Actions addressed: 25.2 – 25.4
<i>Direction 26: Provide greater housing choice</i>	The proposal will provide additional residential housing choice. The proposal addresses the opportunities targeted by specific regional action items by proposing opportunities for a mix of aged care accommodation, seniors housing and general residential dwellings on a parcel of land with access to existing services and free from natural hazards. Relevant Actions addressed: 26.1 – 26.5 & 26.7

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Goal / Direction	Comment
<i>Direction 28: Deliver healthy built environments and improved urban design</i>	The proposal intends to promote high quality urban design principles consistent with regional urban design guidelines and local policy. The proposal is consistent with Action Items 28.2 – 28.4, in particular those relating to creating healthy built environments, high quality open spaces and walking/cycling connections, and incorporating water sensitive urban design in new subdivision layouts. The proposed draft masterplan for this area will incorporate water sensitive urban design principles, in particular to address site groundwater and salinity management issues. Relevant Actions addressed: 28.2-28.4
<i>Direction 29: Protect the region's Aboriginal and historic heritage</i>	The site has been subject to several detailed cultural and built heritage studies which have helped inform development and future strategic directions relevant to the proposal. The proposal is consistent with relevant actions that recognise and conserve heritage assets that are of significance to the local community, in particular the historic use of the CSU land. Relevant Actions addressed: 29.4
<b>Local Government Narratives Wagga Wagga</b> <b>Priorities:</b> <ul style="list-style-type: none"> <li>Establish an environment conducive to entrepreneurship and start-up businesses, with the aim of inspiring innovation and advances in technology.</li> <li>Support industrial land development, including at Bomen Business Park in Wagga Wagga.</li> <li>Support the delivery of residential release areas in the council's proposed local plan review and increase the range of housing options in existing urban areas.</li> <li>Support the establishment of health precincts around Wagga Wagga Rural Referral Hospital.</li> <li>Facilitate a greater share of the national freight activity by improving and developing the city's road, rail and air connections to Australia's major cities and sea ports.</li> <li>Contribute to a sustainable environment for future generations through proactive waste management and responsible sustainable practices.</li> </ul>	<p>The proposal is generally consistent and supportive of the key priorities for the Wagga Wagga Local Government Area through both direct and indirect actions evolving from the implementation of the proposed land zoning changes.</p> <p>The subject land is located centrally with the existing urban footprint of the city and has the benefit of being connected to all existing essential infrastructure and support services.</p> <p>The proposal will increase the range of housing options in the existing urban area and assist in achieving an important residential settlement priority for the city.</p>

#### 4.2.2 **Is the planning proposal consistent with a Council's local strategy or other local strategic plan?**

There are several local strategic plans and studies prepared by Council that are relevant to this proposal. These include:

- Wagga View - Community Strategic Plan 2040
- Recreation, Open Space and Community Strategy & Implementation Plan 2040
- Integrated Transport Strategy and Implementation Plan 2040
- Biodiversity Strategy Maldhangilanha 2020-2030
- Wagga Wagga Local Strategic Planning Statement

The proposal is generally consistent with Council's local strategies, plans and statements. Further discussion on each is provided in sections below.

### **Wagga View - Community Strategic Plan 2040**

The Community Strategic Plan 2040 (CSP) provides an outline of what the community of Wagga Wagga want the future to look like for their local area. It provides directions and solutions on how the community intends to get there. The overall vision promoted by the plan is:

*"In 2040 Wagga Wagga will be a thriving, innovative, connected and inclusive community on the Murrumbidgee. Rich in opportunity, choice, learning and environment, Wagga is a place where paths cross and people meet."*

The plan aligns with the *NSW State Plan and Premiers Priorities*, and is underpinned by four key word principles of "thriving – innovative – connected – inclusive", and five strategic directions.

The proposal is consistent with all of the plan's strategic directions and supports specific objectives of growing investment in the local economy and providing sustainable housing options for a growing population.



**Figure 7:** Extracts from Community Strategic Plan 2040 (Source: WWCC 2021)

### **Recreation, Open Space and Community Strategy & Implementation Plan 2040**

The Recreation, Open Space and Community (ROSC) Strategy 2040 identifies key community infrastructure that will be required to meet anticipated population growth within the city. The proposal is consistent with the top 5 strategic priorities identified in the strategy.

**Table 3: ROSC Strategy 2040 – Top Five Strategic Priorities**

Strategic Priority	Consistency
<b>Increase the activation of public spaces</b> Providing appropriate infrastructure, public spaces and community facilities	Consistent: Active public open space areas are identified in the indicative masterplan. The proposal will also facilitate connections to other public spaces and community networks.

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<i>will enable a wide variety of events and activities to be held.</i>	
<b>Improve accessibility and connection</b> <i>Accessibility and connection will be improved across the city and will become a key consideration in all future developments/redevelopments of public spaces.</i>	Consistent: The proposal will include connections with adjoining land uses, including SMMC school grounds, aged care facility and public road networks. Part of the residential development of this land will incorporate additional public spaces.
<b>Improve existing assets to maximise utilisation</b> <i>Improvements in existing assets will enable better utilisation by the community. In many cases these improvements will negate the need for the development of additional assets.</i>	Consistent: The proposal will generate residential development activity through which contributions will be generated to assist in the improvement of other existing public assets.
<b>Improve community health</b> <i>Community infrastructure and public spaces will be designed in order to improve community health outcomes.</i>	Consistent: The proposal will develop a new neighbourhood area with public infrastructure and places to promote improved community health. This will involve public footpaths, cycleway connections and other connections to public spaces and adjoining school facilities.
<b>Collaborate where possible</b> <i>Partnerships will be sought to ensure the efficient provision of community infrastructure and public spaces.</i>	Consistent: The proposal will generate several options for the establishment and management of community infrastructure and public spaces. Various options will be considered in collaboration with respective private and public stakeholders.

The ROSC Strategy has adopted a provision ratio of four hectares (ha) per 1,000 people. This ratio is divided into:

- 2.5 ha for outdoor recreation facilities
- 1.5 ha for sporting facilities in the Wagga Wagga urban area, 1.0 ha for outdoor recreation; 3.0 ha for sporting facilities in rural areas.

A draft masterplan for the subject land indicates the creation of landscaped open space/recreation areas of approximately 4337m<sup>2</sup> that are intended to include a central park, playground, sports court and open space walkway connection to the neighbouring school. This area excludes land to be used for stormwater management and would generally meet the expectations of the ROSC. Further discussion will be conducted with Council prior to finalising a residential development plan for this site to ensure the open space and recreation needs of the immediate and surrounding neighbourhoods are met.

#### **Integrated Transport Strategy and Implementation Plan 2040**

The Wagga Wagga Integrated Transport Strategy and Implementation Plan (ITS) 2040 is the blueprint for transport in Wagga Wagga and reflects the needs and expectations of the local community. It 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. It also aims to maximise opportunities to increase public transport, walking and cycling use for the benefit of residents and visitors.

The proposal supports and is consistent with the aims, objectives and actions of the integrated transport strategy by being located within close proximity to existing transport networks and enabling connectivity and accessibility to various modes of transport options. Roads, footpaths, cycleways and other various community transport options are accessible to the subject site.

#### **Biodiversity Strategy Maldhangilanha 2020-2030**

The Wagga Wagga Biodiversity Strategy: Maldhangilanha (WWBSM) aims to increase awareness and address a wide range of key threatening processes impacting biodiversity. The strategy has four main focus areas:

- *Planning for Biodiversity*

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- *Strengthening our Natural Assets*
- *Managing Biosecurity*
- *Educating and Collaborating*

The objectives and actions of the WWBSM will aim to meet a target of increasing the extent of EPBC listed native vegetation cover in the LGA by 10% (1,900ha) by 2030. Key objectives are:

- *Ensure that our strategies, policies, and management practices value and protect biodiversity.*
- *Protect, enhance and conserve biodiversity in urban and rural areas through revegetation and habitat rehabilitation.*
- *Minimise the risk of weed and pest infestation in urban, natural and agricultural landscapes.*
- *Improve community awareness of the importance of biodiversity and encourage participation in conservation initiatives.*

The proposal will support these objectives by ensuring that development plans and ongoing management will align with the relevant action items listed in the strategy.

#### **Wagga Wagga Local Strategic Planning Statement**

The Wagga Wagga Local Strategic Planning Statement (LSPS) provides a blueprint for how and where Wagga Wagga will grow into the future. The LSPS sets out Council's 20-year vision for land use planning in the Wagga Wagga LGA, along with a suite of planning principles and actions to ensure that, as the city's population grows, new houses, transport networks, infrastructure and services are developed sustainably.

Strategic directions include the themes of *The Environment*, *Growing Economy and Community Place and Identity*. Each theme is supported by planning principles and key action items to assist in delivering sustainable growth, maintaining quality of life and creating opportunities for the future.

The proposal is generally consistent with the planning principles of the LSPS, as discussed in the table below.

**Table 4: Relevant Strategic Components of Wagga Wagga LSPS (Wagga Wagga 2040)**

Wagga Wagga Local Strategic Planning Statement		
Theme	Principles	Comment
The Environment	1: <i>Protect and enhance natural areas and corridors</i>	Consistent. The proposal will contribute positively to the city's presentation and quality of life. The site requires renewal due to redundant former land uses and aging built environment. Existing vegetation and any natural corridors will be retained and/or enhanced where possible.
	2: <i>Increase resilience to natural hazards and land constraints</i>	Consistent: This site has been subject of salinity issues with considerable focus by local agencies to understand and monitor the resulting impacts on land and water quality. The proposal will continue the work being undertaken by the proponent to mitigate salinity issues across the site and impact on the wider local area.  In addition, redevelopment of the site has addressed contamination issues which are now subject to current DA conditions. The proposal will continue to respect the work undertaken to date on this matter.  The proposal will also place into action infrastructure works designed to manage overland stormwater flows and reduce risk and harm to the environment and residents.  Additional green space and other climate change initiatives will be incorporated in the residential development of this land to assist in the reduction of energy consumption and implementation of Net Zero policies.

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Wagga Wagga Local Strategic Planning Statement		
Theme	Principles	Comment
	3: <i>Manage growth sustainably</i>	Consistent: The subject site has minimal biodiversity and/or environmentally significant features. However, the project will make better use of servicable urban land to ensure that additional residential development occurs in an area that promotes sustainability. The land is serviced by existing urban infrastructure that can be utilised more efficiently to reduce the burden of expanding facilities and the urban footprint unnecessarily.
	<b>Relevant Key Action Items:</b>	<p>ENV 1: The proposal will integrate residential development over existing serviced land, mitigate existing land constraints, and create open space offset areas to manage the impact of urban development.</p> <p>ENV 5: The proposal will implement plans to mitigate impact from overland stormwater flooding.</p> <p>ENV 6: The proposal includes the implementation of ongoing management plans in relation to urban salinity and land contamination.</p> <p>ENV 7: The proposal will include water sensitive urban design principles to improve the environmental outcomes.</p> <p>ENV 8: The proposal will implement opportunities for infill residential development on a centrally located site.</p> <p>ENV 9: The proposal will be connected to existing transport infrastructure and support the aims of the active travel network.</p> <p>ENV 11: The proposal will support the NSW Net Zero initiatives and other climate change policies.</p>
<b>Growing Economy</b>	4: <i>The southern capital of New South Wales</i>	Consistent: The proposal will assist in the supply of residential land to accommodate a growing population and maintaining the City's status as the southern capital of NSW.
	5: <i>Encourage and support investment</i>	Consistent: The redevelopment of the CSU South Campus site is a considerable investment in urban renewal. The positive flow-on effects will further encourage investment in and growth of the City.
	6: <i>A connected and accessible city</i>	Consistent: The subject site is within the 15-minute city concept that underpins a connected and accessible urban environment. The proposal will enable the creation of a residential neighbourhood that is well-connected to existing urban infrastructure and transport networks.
	7: <i>Growth is supported by sustainable infrastructure</i>	Consistent: The proposal will take advantage of existing infrastructure networks to ensure sustainable population growth. Residential development of this land will create opportunities for a mix of affordable, well-designed and adaptive housing.
	<b>Relevant Key Action Items:</b>	<p>ECON 4: The proposal will enable the integration of land and transport networks.</p> <p>ECON 5: The subject site benefits from being connected to an existing digital network.</p> <p>ECON 6: The proposal will assist in promoting the city as the gateway of southern NSW.</p>
<b>Community Place &amp; Identity</b>	8: <i>Our city promotes a healthy lifestyle</i>	Consistent: The proposal is a form of urban renewal that will provide housing choice and improved connectivity to public places and facilities. The proposal will contribute to achieving a compact city environment with added benefits to environmental sustainability outcomes.

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Wagga Wagga Local Strategic Planning Statement		
Theme	Principles	Comment
	9: <i>High-quality public spaces with an engaging urban character</i>	Consistent: The proposal will enable the opportunity to ensure good urban design principles are embodied in future residential development options for the land. Former redundant land will be reactivated, promoting healthier, active lifestyles, as well as respecting the site's historic links.
	10: <i>Provide for a diversity of housing that meets our needs</i>	Consistent: The proposal will contribute to creating a diversity of housing to meet the needs of a growing population. As a form of infill development, this proposal will contribute to a sustainable growth strategy to utilises land and infrastructure efficiently.
	11: <i>Strong and resilient rural and village communities</i>	Not Relevant to this proposal.
	<b>Relevant Key Action Items:</b>	<p>COM 4: The proposal will contribute to creating a '15-minute' city.</p> <p>COM 6: The proposal will allow the opportunity to create a new residential environment base on high quality urban design principles.</p> <p>COM 12: The proposal is a form of urban renewal.</p> <p>COM 13: The proposal will enable the recreation of public spaces and streets that may contribute to achieving an Urban Canopy Strategy.</p> <p>COM 14: As the site has historic connections with previous CSU and former institutional land uses, the proposal will enable the incorporation of heritage design into public spaces created as a result of subsequent residential development.</p> <p>COM 15: The proposal will enable residential development to be established within walkable distance to local activity hubs.</p>

The proposal has strategic merit as it is aligned with the land use strategic directions, themes principles and relevant key action items of the LSPS, as outlined above. Subsequent residential development is anticipated to be established within a 3 – 8 year time frame, which aligns with short to medium term action items outlined in the LSPS Implementation Plan.

#### 4.2.3 ***Is the planning proposal consistent with the applicable State Environmental Planning Policies?***

The proposal is consistent with the applicable State Environmental Planning Policies (SEPPs), as identified in the table below.

**Table 5: Applicable SEPPs**

SEPPs Relevant to the Planning Proposal	
SEPP Title	Consistency
SEPP55 – Remediation of Land	<p>Consistent. SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It applies to the whole of the State.</p> <p>The subject land has been the subject of a Preliminary Site Investigation (PSI), Detailed Site Investigation (DSI), Remediation Action Plan (RAP), Site Audit Report (SAR) and Site Audit Statement (SAS). Following implementation of the remediation works, the site is considered suitable for residential land use.</p>
SEPP – (Infrastructure) 2007	<p>Consistent. The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. It applies to the whole of the State.</p> <p>There are no provisions in this Planning Proposal that would conflict with the objectives, standards and procedures required under this SEPP. The subject land is identified as containing, or within proximity to, essential</p>



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	infrastructure. Applicable requirements under respective clauses of this SEPP are to be addressed prior to development.
SEPP - (Koala Habitat Protection) 2021	Consistent. <i>This Policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</i>  An Ecological Assessment has been prepared in respect of the subject land. The report concluded that the site does not constitute core koala habitat.
SEPP (Vegetation in Non-Rural Areas) 2017	Consistent. <i>The aims of this Policy are—</i> <i>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</i> <i>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</i>  The Planning Proposal does not contain any provisions that would conflict with the intent of this SEPP. An Ecological Assessment has been prepared in respect of the subject land which recommends a suite of environmental management works to minimise impacts to native vegetation, any associated fauna habitat features and values, as well as the ecological and environmental values of the site and site surrounds.

#### 4.2.4 **Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The following table outlines the relevant s9.1 directions and the level of consistency of this Planning Proposal.

**Table 6: s9.1 Directions**

Ministerial Directions applicable to the development	
Direction title	Consistency
2.1 Environment Protection Zones	Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction and will avoid currently identified environmentally sensitive areas.
2.3 Heritage Conservation	Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority. The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The proposal is consistent with this direction as existing heritage conservation policies and provisions over the land will be maintained.  A Statement of Heritage Impact has been prepared to advise this proposal on any potential impact from the proposed redevelopment of the subject land. The report confirms that whilst the proposal will result in the removal of identified heritage significant items, the impact of the proposal is appropriate. Interpretive signs, historic plan of the site and buildings, including a brief history, will be established within a public space/carpark as part of the site development.
2.4 Recreation Vehicle Areas	Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as existing relevant planning provisions will be maintained.
2.6 Remediation of Contaminated Land	Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority and it is proposed to carry out residential development on the subject land.  The proposal satisfies the objectives of this direction by: <ul style="list-style-type: none"> <li>Considering any risk of harm to human health and the environment; and</li> <li>Taking into consideration the results and recommendations of a Preliminary Site Investigation (PSI), Detailed Site Investigation (DSI), Remediation Action Plan (RAP), Site Audit Report (SAR) and Site Audit Statement (SAS) prepared in relation to the land in accordance with the contaminated land planning guidelines.</li> </ul>
3.1 Residential Zones	Consistent. The direction applies as a Planning Proposal is being prepared that involves a proposed residential zone.  The proposal is consistent with this direction by: <ul style="list-style-type: none"> <li>Increasing the choice and location of housing within the City;</li> </ul>

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Ministerial Directions applicable to the development	
Direction title	Consistency
	<ul style="list-style-type: none"> <li>• Making more efficient use of existing infrastructure and services that are connected to the site;</li> <li>• Reducing the consumption of land for housing and associated urban development on the urban fringe by redeveloping redundant institution land within the City central urban footprint;</li> <li>• Ensuring residential development will incorporate good urban design principles;</li> <li>• Ensuring that development will only occur when adequate servicing infrastructure is available and commissioned; and</li> <li>• Increasing permissible residential density on serviced and accessible urban land.</li> </ul>
3.2 Caravan Parks and Manufactured Home Estates	Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as existing relevant planning provisions will be maintained.
3.4 Integrating Land Use and Transport	<p>Consistent. The direction applies as a Planning Proposal is being prepared that involves a zone relating to urban land for residential purposes.</p> <p>The proposal is consistent with this direction by:</p> <ul style="list-style-type: none"> <li>• Improving access arrangements to proposed housing land, including facilities to encourage walking, cycling and public transport;</li> <li>• Encouraging, through good urban design, transport choice and less dependence on cars, particularly as a consequence of the land's central location and connection to existing urban services and activity centres.</li> </ul>
4.3 Flooding	<p>Inconsistent. The direction applies as a Planning Proposal is being prepared that involves a zoning change relating to urban land that is potentially impacted by overland flooding. Council is responsible for the management of flood prone land.</p> <p>The inconsistency with this direction is justified by:</p> <ul style="list-style-type: none"> <li>• Proposing works that are consistent with the local adopted flood study and principles of the Floodplain Development Manual 2005;</li> <li>• Only permitting residential development, residential care facilities or seniors housing in an area that will not be significantly impacted by flooding;</li> <li>• The inconsistency is of minor significance.</li> </ul>
5.10 Implementation of Regional Plans	<p>Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority and the subject land is within the boundaries of a Regional Plan released by the Minister for Planning.</p> <p>The proposal satisfies the objectives of this direction by demonstrating consistency with the overall vision, land use strategy and relevant goals, directions and actions contained in the Riverina Murray Regional Plan 2036. This includes strategic directions referring to efficient transport and infrastructure networks; strong, connected and healthy communities; and increasing the range of housing options in an existing urban area.</p>
6.1 Approval and Referral Requirements	Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority that may involve additional or altered planning provisions. The proposal is consistent with this direction as it does not introduce any unnecessary provisions to the development assessment process.
6.2 Reserving Land for Public Purposes	Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority. The proposal is consistent with this direction as the creation of any land for public purposes will only be actioned with approval of the relevant public authority.
6.3 Site Specific Provisions	<p>Consistent. The direction applies as a Planning Proposal is being prepared by a relevant planning authority that will allow a particular development (additional residential subdivision and development), to be carried out.</p> <p>The proposal is consistent with this direction as it:</p> <ul style="list-style-type: none"> <li>• Will involve rezoning of the land to a residential zone already applying in the LEP that allows residential development to be carried out without imposing any additional development standards or requirements;</li> <li>• Will not refer to drawings that show details of the development proposal.</li> </ul>

### 4.3 Environmental, Social and Economic Impact

#### 4.3.1 ***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 proposal?***

There is no likelihood that any critical habitat or threatened species, populations or ecological communities or their habitats would be adversely affected by the proposal. An Ecological Assessment report has been prepared over the subject land and accompanies this Planning Proposal.

The report provided the following relevant conclusions:

- *No threatened species, endangered populations or threatened ecological communities listed under the EPBC or BC Act were recorded on site during the site assessment.*
- *The site is unlikely to support any threatened species or individuals within an endangered population.*
- *Vegetation clearing as part of the development is unlikely to significantly affect threatened species, threatened species habitat or any movement of threatened species that maintains their lifecycle.*
- *Given that this area is less than the threshold and the site is not mapped on the BV map, the proposed development does not trigger either of the two BOS thresholds.*
- *Similarly, the site is not mapped as supporting native vegetation regulated under the LLS Act. Therefore, the BOS does not apply to the development.*
- *Given that the site does not support highly suitable koala habitat, the site does not constitute core koala habitat.*
- *Clearing of any vegetation within a non-rural area that is declared by a development control plan to be vegetation to which the policy applies requires a permit issued by council.*
- *Clearing of vegetation that is dead or dying and is not required as habitat for native animals and/or presents a risk to human life and property does not require an authority under the policy.*

A range of mitigation measures have been recommended by the ecological report to minimise impacts to native vegetation, any associated fauna habitat features and values, as well as the ecological and environmental values of the site and site surrounds. These recommendations will be taken into account when considering development of the subject site.



**Figure 8:** Wildlife Atlas Map extract (Source: OEH Wildlife Atlas 2021)

#### 4.3.2 ***Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

The site is not subject to riverine flooding or bush fire impact.

In order to thoroughly assess other potential environmental effects as a result of this Planning Proposal, a range of additional specialist studies have been prepared in relation to the following key environmental matters:

- Contaminated Land & Site Health
- Tree Removal - Arboriculture
- Geotechnical Site Conditions (Salinity)
- Groundwater – Hydrogeological Assessment
- Heritage Impact
- Stormwater & Overland Flooding Management
- Traffic & Transport
- Noise Impact Assessment (Traffic)
- Waste Management (Domestic & Commercial)

A summary of conclusions and proposed management recommendations are outlined below. Based on the findings of all below specialist studies, the environmental effects are manageable and in the best interests of the public domain and local community.

#### **Contaminated Land & Site Health (DM McMahon/iEnvironmental/Envirocene)**

The site has been the subject of a Preliminary Site Investigation (PSI), Detailed Site Investigation (DSI), Remediation Action Plan (RAP), Site Audit Report (SAR) and Site Audit Statement (SAS) to assess the nature and degree of any potential site contamination, recommend remedial action and certify remedial work with respect to future residential development of the land. Those documents accompany this planning proposal.

The site is considered suitable for residential housing and any development works will take into consideration recommendations and actions from the above listed reports.

#### **Tree Removal – Arboriculture (Wade Ryan Contracting)**

A detailed Arboriculture Assessment Report accompanies this proposal. The report has assessed all existing trees on this site and made recommendation in relation to the retention and removal of specific trees.

The findings and recommendations of the report noted that:

- Specific recommendations are made in relation to the line of Sugar Gums along Fernleigh Road, Hely Avenue and Charleville Road.
- A detailed landscape plan is to be developed and implemented that will provide increased environmental benefits and aesthetic values to the site and local area, including salinity control.
- The local community to be given assurances that building development and changes to the landscape enhance both amenity and environmental values across the whole site.

Future development of the site is to take into consideration the recommendations provided in this report.

As noted in the Ecological Assessment report, the revised masterplan for this site will retain the majority of vegetation on this site. Landscaping vegetation proposed for the development area will significantly compensate for any lost cooling effects from any vegetation clearing required to establish the development proposed as a result of the planning proposal.

The proposal will include the planting of 203 native trees across the site that will enhance both amenity and environmental values in this locality.



Figure 9: Existing Tree Survey (Source: WRC 2021)

#### **Geotechnical Site Conditions - Salinity(DM McMahon)**

Geotechnical investigations were conducted over the subject site to assess subsurface conditions and provide indicative geotechnical advice for future design purposes. The report accompanies this proposal.

In relation to salinity, test results indicated a rating of between non-saline to moderately saline. Depth of ground water investigations indicated a standing water level of 5.7m below existing ground level. Ground water seepage was not observed at any other investigation point across the site. Recommendations are made in relation to site preparation and other associated earthworks for future development of the site.

Urban salinity remains one of Wagga Wagga's most significant land degradation concerns. Wagga Wagga City Council has an active community-based program that monitors groundwater levels via 200+ piezometer bores across the urban area. The program assists in the continual development of management practices to reduce salinity in the urban environment.

Managing groundwater levels and the impacts of urban salinity is a recognised concern on this site and the wider local area. The figure below indicates the location of monitoring piezometers on and surrounding the site.

Revegetation of the site with suitable plant species and the use of appropriate building materials and techniques will require detailed consideration at development stage.



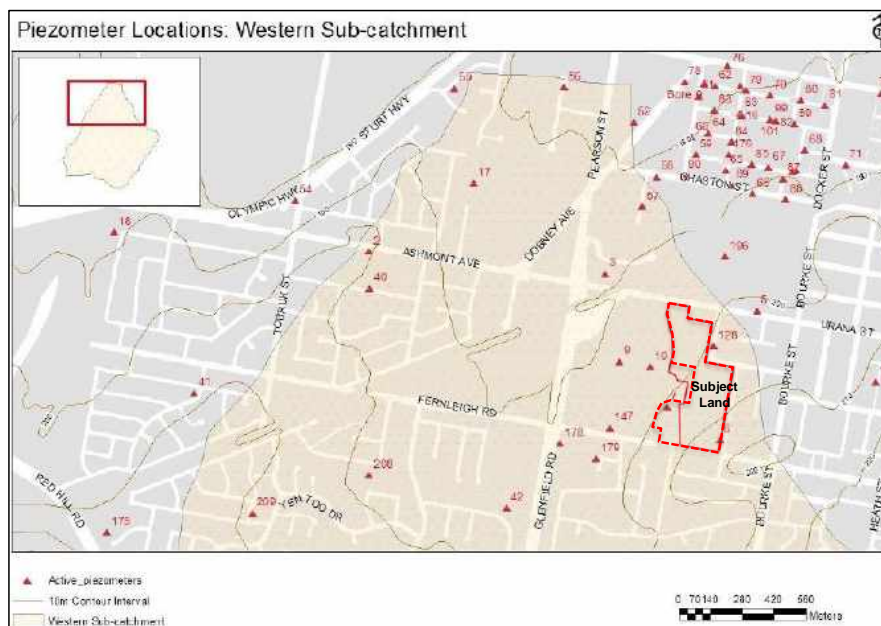


Figure 10: Urban Salinity Monitoring – Piezometer Locations (Source: WWCC 2021)

#### **Groundwater – Hydrogeological Assessment (DM McMahon)**

Additional groundwater investigations have been carried out over additional land, as acquired from SMMC, to ascertain changes in levels across the site due to the sloping terrain. The report also investigates current land use and groundwater recharge conditions. References are made to existing groundwater monitoring and piezometric data. The report accompanies the Planning Proposal.

The report concludes that, with suitable additional earthworks, the site will be sufficiently above the groundwater system to impact any infrastructure. Certain recommendations are made in relation to future development works, ratio of hardstand to open areas, landscaping works and overall water management.

The report also notes that there would be minimal use of groundwater by the trees to be removed and the change to recharge would likely not be measurable. However, for the future development of the site, it has been recommended that additional plantings be incorporated to assist in groundwater management.

#### **Heritage Impact Assessment (Noel Thomson Architecture)**

A Statement of Heritage Impact (SoHI) has been prepared to advise this proposal on any potential impact from the proposed redevelopment of the subject land. The report accompanies this proposal and confirms that whilst the proposal will result in the removal of identified heritage significant items, the impact of the proposal is minimal and appropriate.

The SoHI includes recommendations to respect or enhance the heritage significance of the item. This includes measures such as relocation of the Dame Mary Gilmore gates and historic sundial, and establishment of interpretive signs and historic plan of the site and buildings.

#### **Cultural Heritage Assessment**

An AHIMS search indicates that within 200m of the site, there are no records of aboriginal sites or declared places.

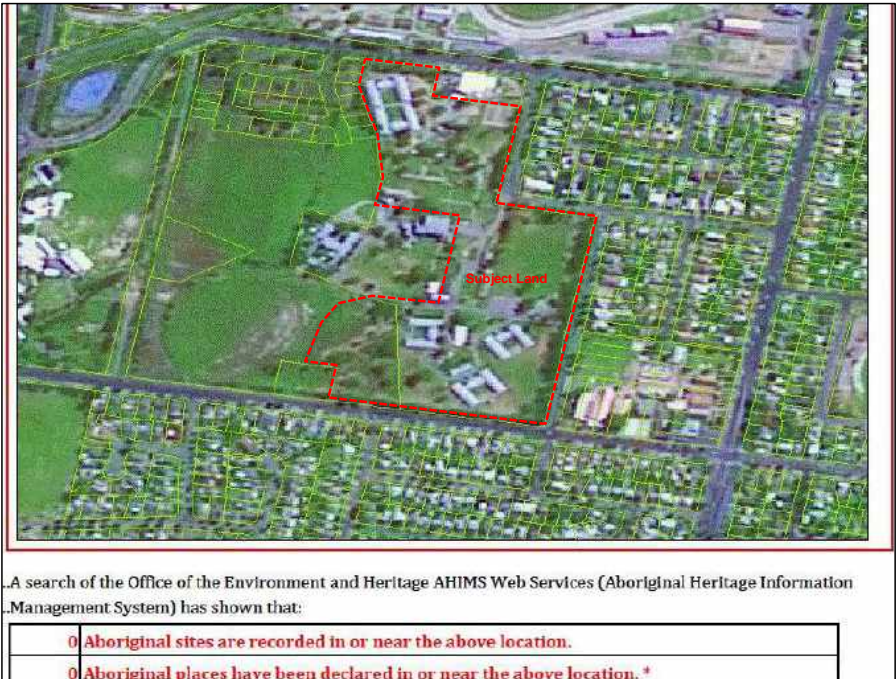


Figure 11: AHIMS Search (Source: AHIMS 2021)

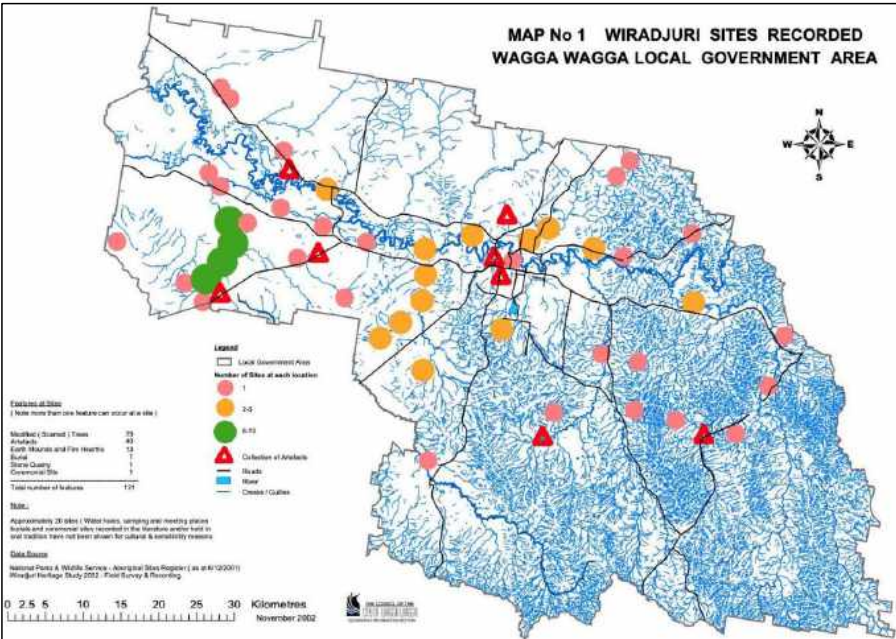


Figure 12: Map Extract – Wiradjuri Heritage Study (Source: WHS 2003)



The site is located in an area generally referred to in the Wiradjuri Heritage Study as an area for "Collection of Artefacts", as shown in mapping extract above. There is a large tract of land across the City where there is potential for artefacts, as identified in the Wiradjuri Heritage Study Mapping.

AHIMS mapping does not indicate that there are any records of aboriginal sites or declared places within 200m of the site. Therefore, the proposal and future development will rely on the generic due diligence process, as outlined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECCW 2010), to ensure that development will proceed with caution and if any Aboriginal objects are found, work will be stopped, and relevant authorities notified.

#### **Stormwater Management (Biofilta)**

A holistic stormwater management plan has been prepared in relation to the site and accompanies this Planning Proposal which also addresses overland flood impact management. The report details stormwater quality infrastructure and investigations to demonstrate best practice solutions for stormwater management over the entire site.



**Figure 13:** Overland stormwater modelling (Source: WWCC 2021)

Based on a conceptual development scenario, the report recommends an integrated management approach addressing development up to and including the 1 in 100 year AEP event. This approach will achieve best practice environmental management objectives as well as least cost in ongoing maintenance.

For overland flow management, the proposal will result in better site flood mitigation and protection for downstream properties, where currently they are exposed to inundation impact.

#### **Traffic & Transport (Cardno)**

A traffic and transport impact assessment (TIA) report accompanies this proposal that consolidates information and recommendations prepared for the previously approved aged care facility as well as the proposal for future residential development of the remaining site.

The TIA report concludes that, given predicted traffic generation rates and anticipated traffic distribution, it is expected that all trips to/from the proposed development will be accommodated within the existing capacity of the surrounding road network. It is not expected that the development will have a discernible impact on the operation of the road network or nearby intersections.

**Noise Impact Assessment (Rodney Stevens Acoustics)**

A Noise Impact Assessment (NIA) report has been prepared to accompany this proposal that assesses the potential impact of increased road traffic noise on neighbouring properties as a consequence of further residential development of the site.

Based on the results of the NIA, proposed development of the land for residential housing would comply with relevant noise impact criteria.

**Waste Management (Leigh Design)**

A Waste Management Plan (WMP) has been prepared to accompany this proposal that considers the potential generation and management of both residential and commercial waste from the development of the subject land. Assumptions made were that residential waste shall be collected by Council's current road based system, whilst commercial waste (from the approved aged care facility) would be collected by a private contractor.

The WMP predicts expected net waste generation from the proposal for consideration by the local authority at time of development, taking into account the principles of sustainable waste management practices. There are no identified limitations to waste management as a result of this proposal.

**4.3.3 Has the planning proposal adequately addressed any social and economic effects?**

The purpose of this Planning Proposal is to facilitate further residential development of a redundant special uses site located within the central urban footprint of the City. The site is physically connected to existing infrastructure and transport networks. Redevelopment of the land will contribute significantly to the social and economic well-being of the City by reactivating serviced urban land for residential housing that would otherwise continue to remain idle and an ultimate burden on current and future generations.

Development of this land will further stimulate the local construction industry through employment and supply of materials and essential services. Additional dwellings in the area will also make more economic use of valuable resources and public facilities, further contributing to ongoing income generation for local businesses and public agencies.

The proposal will contribute to building community and adding to social cohesion of the local area, particularly as the immediate surrounding land is either under development for new housing (land to the west) or undergoing refurbishment and renewal (land to the east). Additional population will also assist in building stronger connections with established infrastructure and essential services including schools, neighbourhood centres, shops, medical centres, open space/recreation areas and transportation networks.

**4.4 State and Commonwealth Interests****4.4.1 Is there adequate public infrastructure for the planning proposal?**

The site has access to all essential urban infrastructure services and networks including sealed public roads, water, electricity, gas, telecommunication (NBN), sewer, stormwater drainage, public transport (bus) and waste services. Due to the site's history with CSU, the land has access to the AARNet network (Australian Academic and Research Network).

Since the granting of the SCC and Aged Care Facility DA approval, negotiations have continued with Council in relation to sewer and stormwater provision. In addition, due to the site's central location, other community, health, recreation, commercial and alternative transport services are within conveniently accessible distances of the subject site. Connectivity & accessibility in relation to the site's location and other essential urban services is illustrated in the figure below.

## SALVESTRO PLANNING

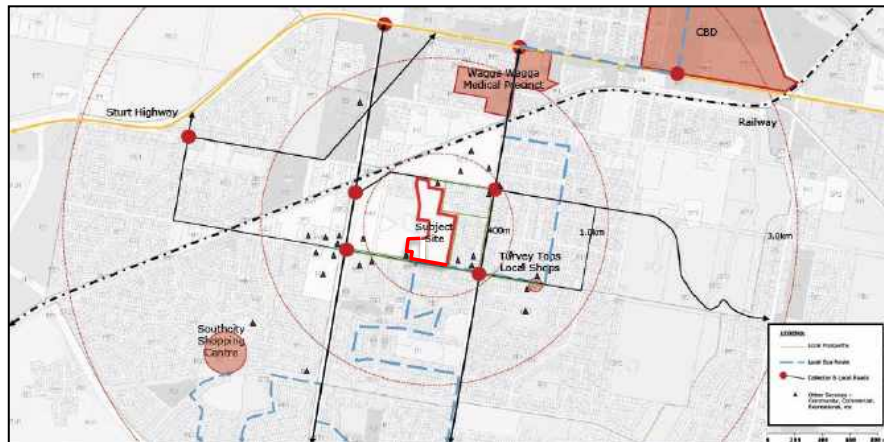


Figure 14: Site Connectivity Analysis (Source: SP & WWCCGIS2021)

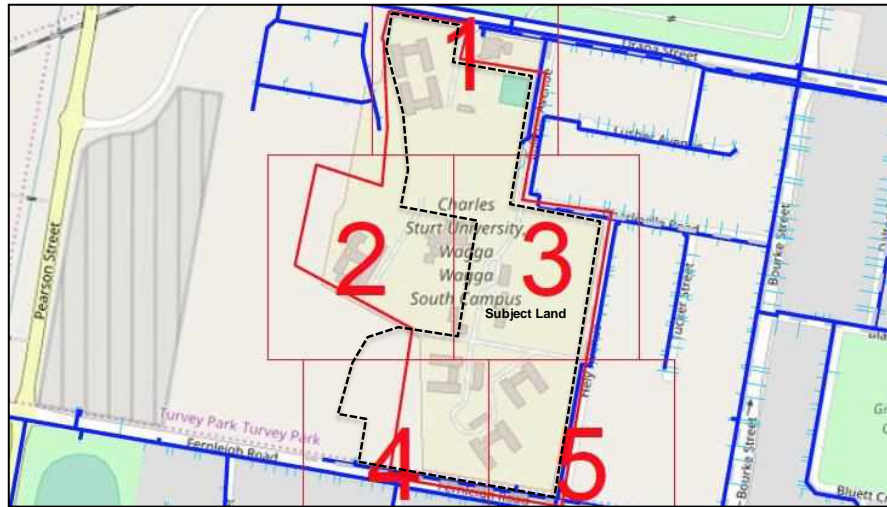
### Public Road Network (WWCC)



Figure 15: Public Road Network Map (Source: WWCCGIS2021)

The site fronts a public road network on each of its northern, eastern and southern boundaries. Urana Street and Fernleigh Road are Sub-Arterial Roads, College Avenue, Charleville Road and Hely Avenue are Local Roads under Council's road hierarchy policy. All road reserves are improved with sealed pavements, kerb & guttering, pedestrian footpaths, drainage and other service networks. Bourke Street and Glenfield Road also form part of the on-road cycleway network that connects to other off-road paths.

A TIA report that accompanies this proposal concludes that, given predicted traffic generation rates and anticipated traffic distribution, it is expected that all trips to/from the proposed development will be accommodated within the existing capacity of the surrounding road network. It is not expected that the development will have a discernible impact on the operation of the road network or nearby intersections.

**Potable Water Supply Network (RWCC)**

**Figure 16:** Riverina Water County Council Water Assets Map (Source: DBYD2021)

The site is adequately serviced with potable water supply. Water mains exist along all street frontages. A 250mm main is located in Urana Street, whilst other streets contain 100mm mains. The local water authority has confirmed that there is adequate water supply to accommodate the proposal.

**Sewer & Stormwater Network (WWCC)**

Council's sewer network services the site, and the network has sufficient capacity to accommodate residential redevelopment of the subject land. Note that historic use of the land has included education and student accommodation where similar loads accessed the current network.

An existing stormwater network tranverses the site, as shown below. There is ongoing discussion with Council to ascertain the most efficient and sustainable means of addressing overland stormwater flows from the site whilst achieving environmental targets, managing groundwater levels and mitigating urban salinity issues across this sector of the western urban landscape.

A Stormwater Management Plan accompanies this proposal that includes recommendations for overland flow management. The plan incorporates best practice principles to create drainage infrastructure that will result in improved flood mitigation for the site and downstream landowners (see figure below). The proposed designs will reduce discharge and improve water quality with minimal cost for ongoing maintenance.

Overland flooding has been considered with reference to Council's recent overland stormwater modelling and study, as well as recently accepted stormwater catchment analysis approved by Council for the Aged Care Facility currently under construction on the site. This is consistent with Ministerial Direction 4.3 Flooding that requires a planning proposal on land subject to flooding to consider flood behaviour and potential flood impacts on and off the subject land.

Whilst the proposal is seeking a zoning of land that is identified in Council's Flood Modelling as potentially impacted by overland flooding, the proposal is accompanied by expert analysis and recommendations to confirm that the impact is of minor significance and the resulting development will improve the overall stormwater management for the local area.





Figure 17: Sewer and Stormwater Assets Map (Source: WWCC 2021)



Figure 18: Stormwater Developed Catchment Plan (Source: Biofilta 2021)

### **Electricity Network (EE)**

Essential Energy (EE) have indicated that an existing electricity supply network currently services the site, as shown in the figure below. Design, infrastructure construction and supply of electricity via the current network will be subject to EE's current policy and procedures. There are no significant limitations to the supply of electricity to the site.

There are current negotiations in place in relation to augmenting supply to the SMMC site, which will include a new transformer pad and associated easement.

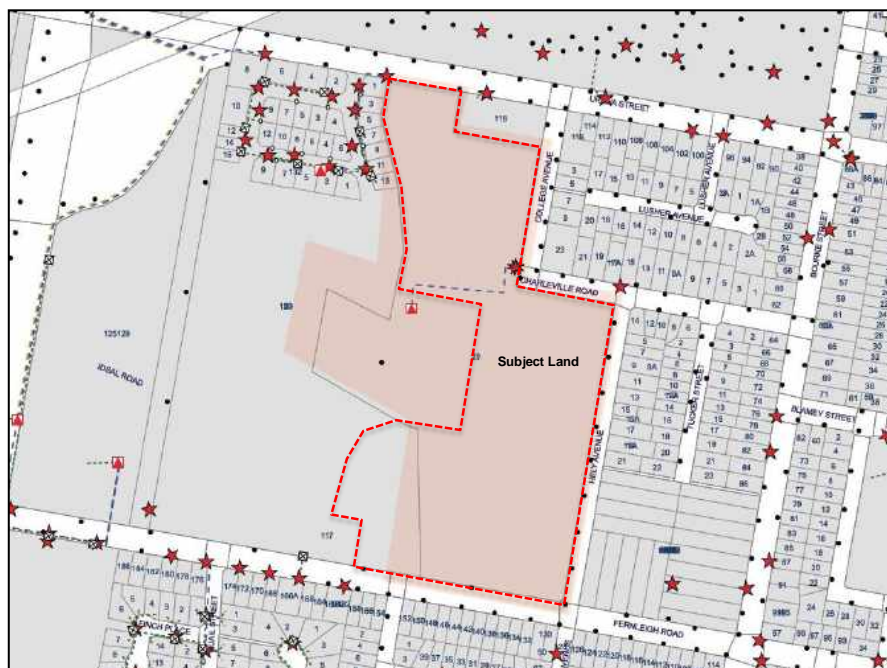


Figure 19: Essential Energy Assets Map (Source: DBYD2021)

#### **Gas Network (APA)**

The gas supply network is provided by APA on all street frontages of the site. APA indicate that there are no major impediments to the supply of gas to the subject site.

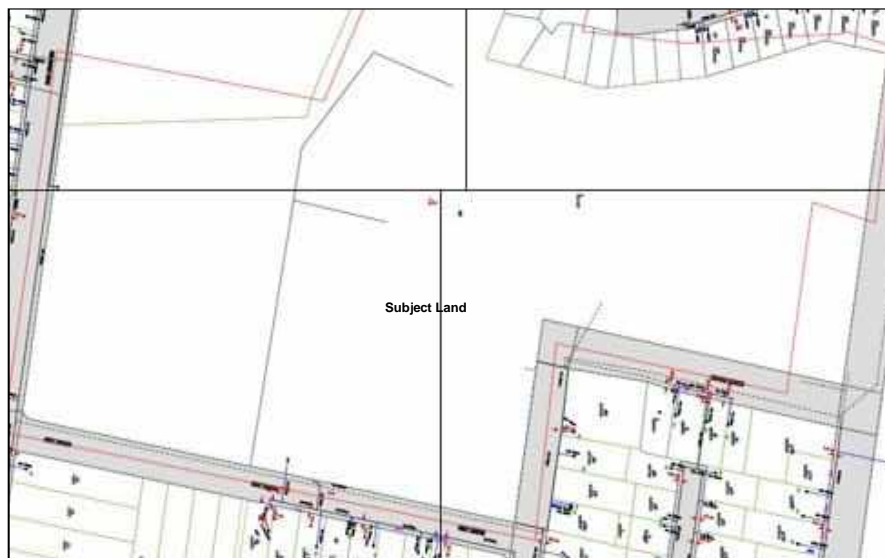
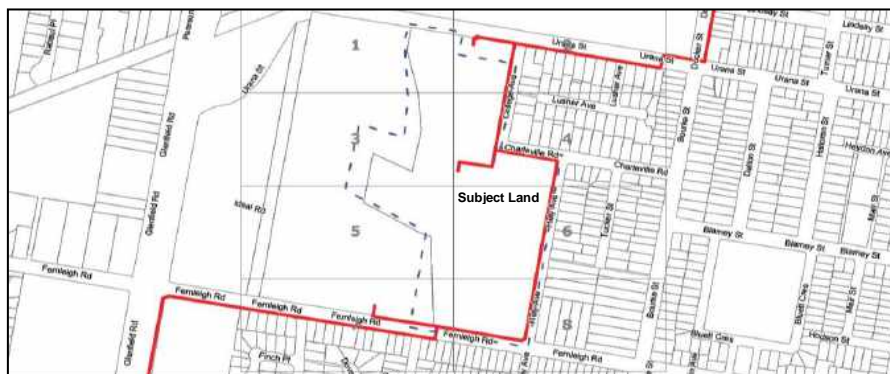


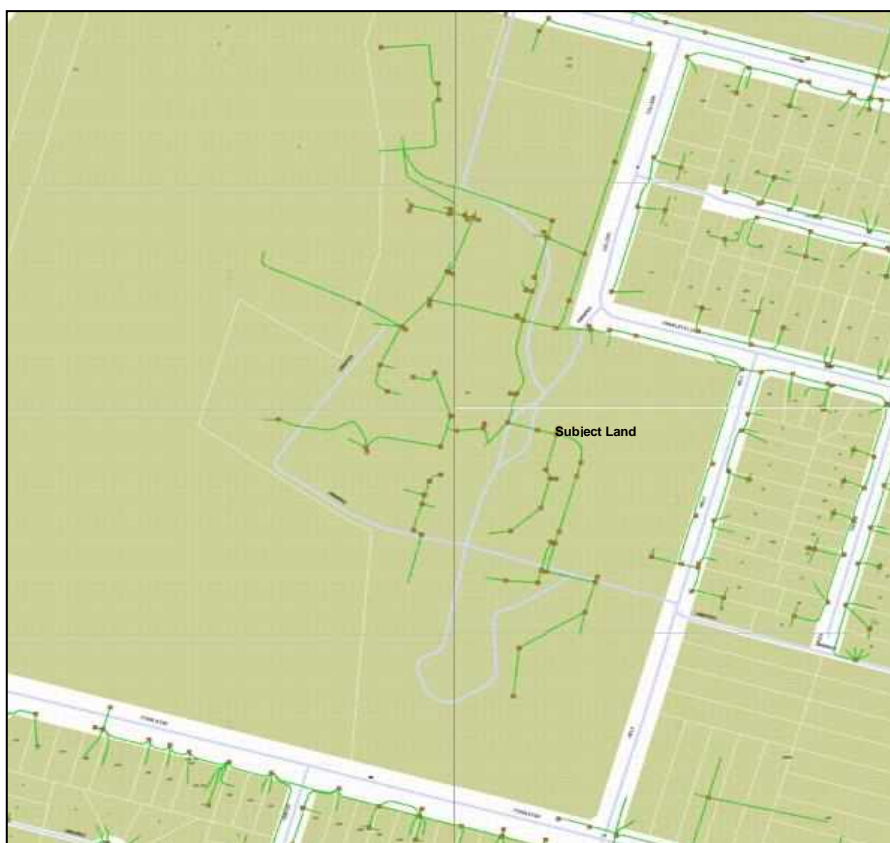
Figure 20: APA Assets Map (Source: DBYD2021)

**Telecommunications (NBN)**

The site has adequate connection to both the NBN network and the AARNet internet network, as shown in the figures below.



**Figure 21:** AARNet Assets Map (Internet) (Source: DBYD2021)



**Figure 22:** NBNCo Assets Map (Source: DBYD2021)



**Waste Services (WWCC)**

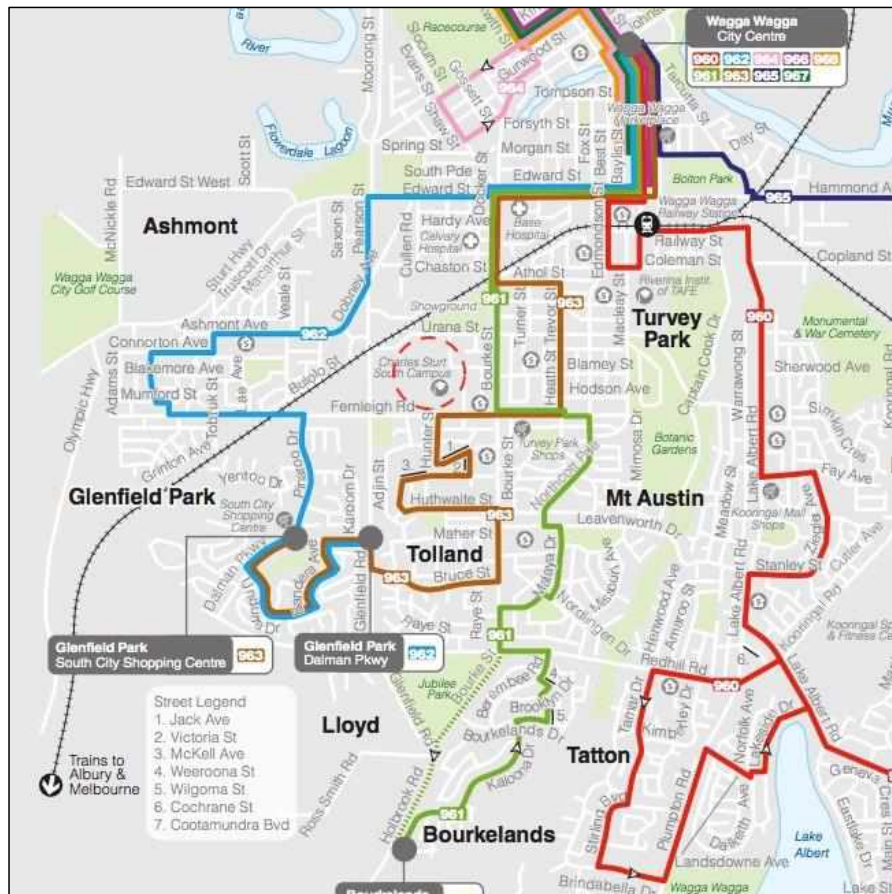
Council supplies a weekly kerbside waste service to the local area that includes general, FOGO and recycling bin collection. There are also private waste service contractors that operate locally for specific waste removal service needs.

**Postal Services (AusPost)**

The subject site is service by Australia Post as part of its citywide delivery and service arrangements. Main post offices are located in the CBD area (Marketplace and South Wagga Business Centre), with other postal shops and facilities available at neighbourhood shopping centres. There are no restrictions to the provision of postal services to the subject site.

**Public transport (Bus-A-bout)**

Bus transport is available in the local area, as provided by Bus-a-bout. There are also redundant bus parking areas within College Avenue that are a remnant of CSU student accommodation activity on the site until recently. School bus service also provided to SMMC via existing access roads.



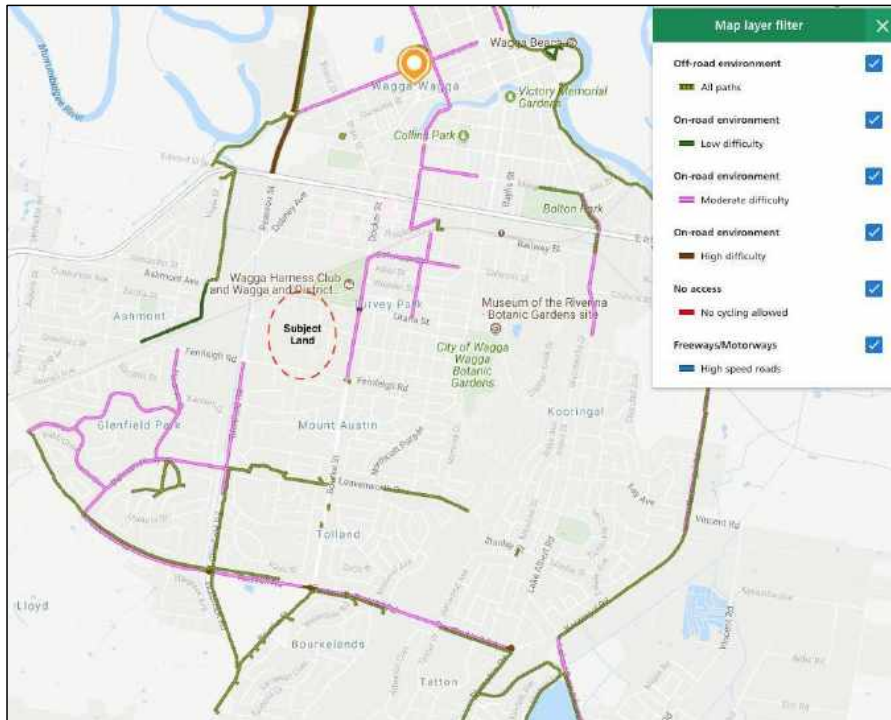
**Figure 23:** Bus Network Map (Source: Bus-a-bout 2018)



**Services within 400m (Various)**

As indicated on the Connectivity Map above, there are a range of other services with a 400m distance from the subject site including:

- Pedestrian footpath network (on every road frontage)
- Cycleway network (on-road Bourke Street & Glenfield Road)
- Church
- School & Hall (community meeting area)
- Service station & convenience store (Bourke Street)
- Secondhand store
- Veterinary hospital
- Ambulance Station
- Medical Centre
- Sporting oval
- Showground including halls, raceway & display areas



**Figure 24:** Cycleway Network Map (Source: RMS 2021)

**Services within 1.0km (Various)**

As above plus:

- Medical Precinct (Hospital, Doctors & Specialists)
- Sporting ovals
- Shops and convenience stores (Turvey Tops)
- Hotel
- Registered Club (Rules Club)
- Motel
- Service Station (Glenfield Road)

**Services within 3.0km (Various)**

As above plus:

- Shopping Centres (CBD & SouthCity)
- Parks and Sporting Ovals
- Open Space areas and Major Parkland (Botanical Gardens etc)
- Oasis Swimming Pool Complex
- Alternative Health Services
- Childcare centres
- Various other commercial, recreational and service establishments

4.4.2 ***What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

The views of State and Commonwealth public authorities will be sought following the issue of a Gateway determination on this matter.

## 5 MAPPING

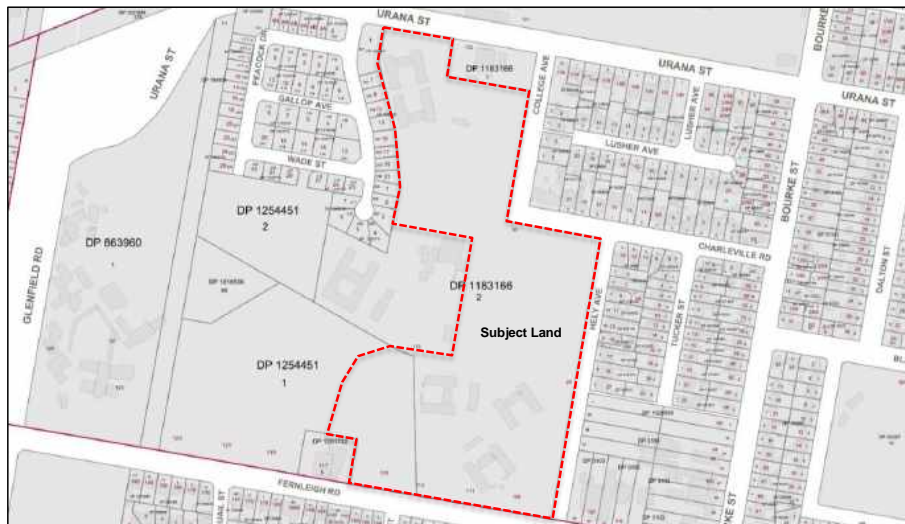
(Part 4 of the Guide)

The Planning Proposal seeks to amend the following map:

- Land Zoning Map - Sheet LZN\_004D

Other relevant mapping required to support the proposal is provided below (as per guidelines).

### 5.1 Subject Land



**Figure 25:** Subject Land – Existing & Proposed Cadastre Boundaries (Source: WWCCGIS & SP 2021)

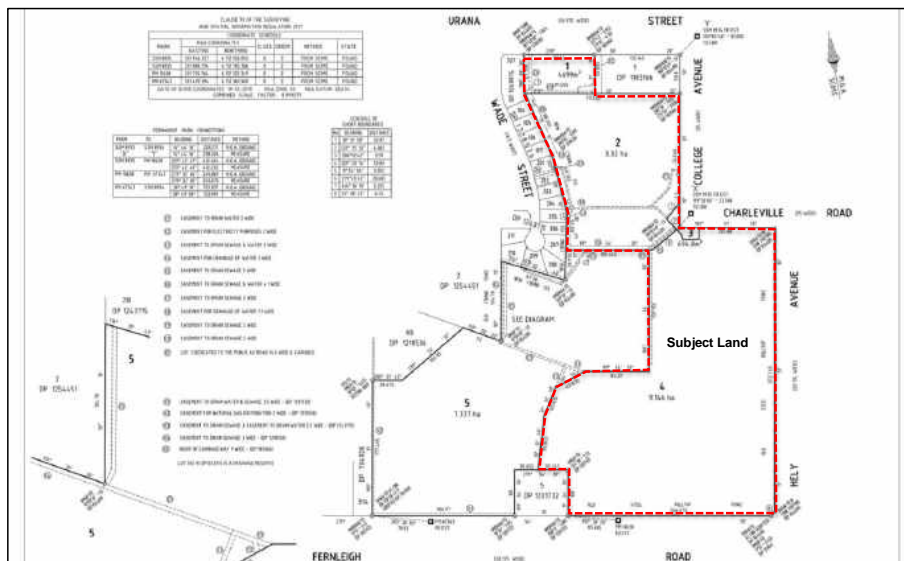


Figure 26: Proposed Subdivision Plan (Source: Croft 2021)

## 5.2 Current Zone Map - LZN\_004D

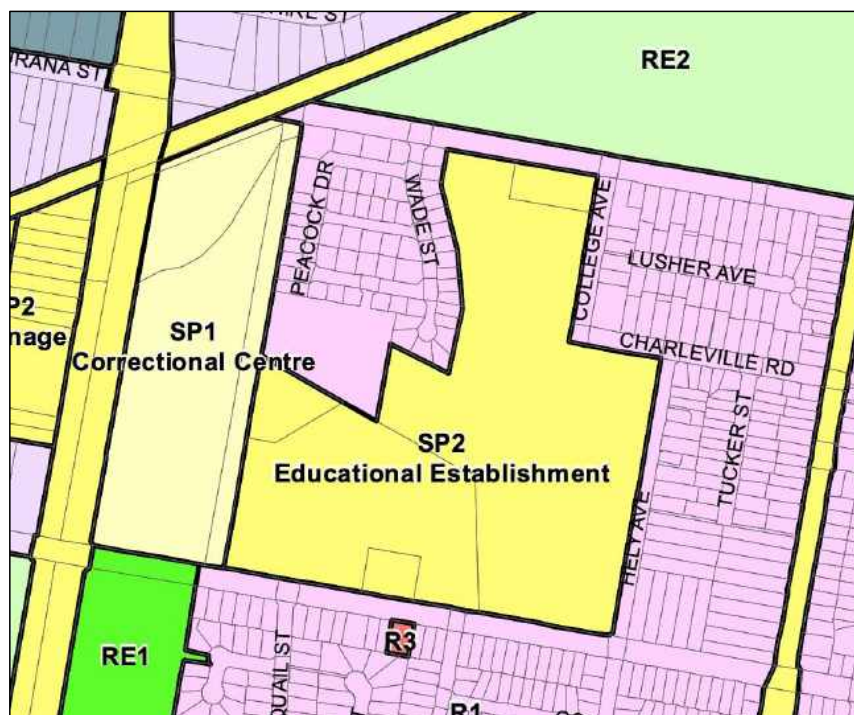


Figure 27: Current Zone Map LZN\_004D - Wagga Wagga LEP2010 (Source: DPIE & SP 2021)

### 5.3 Proposed Zone Map - LZN\_004D

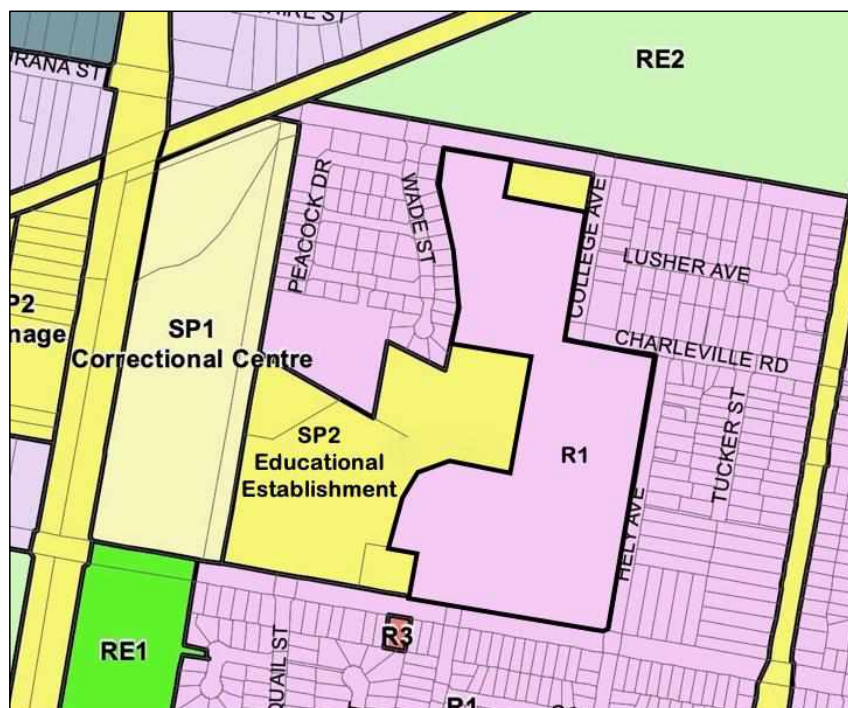


Figure 28: Proposed Zone Map LZN\_004D – Wagga Wagga LEP2010 (Source: DPIE & SP 2021)

### 5.4 Heritage Items

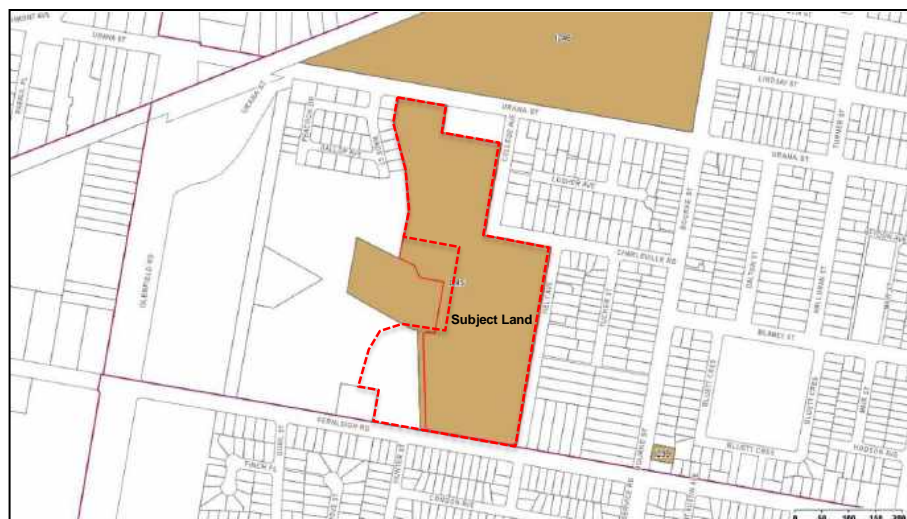


Figure 29: Heritage Items Map (Source: WWCCGIS2021)



## 5.5 Natural Resources Sensitivity

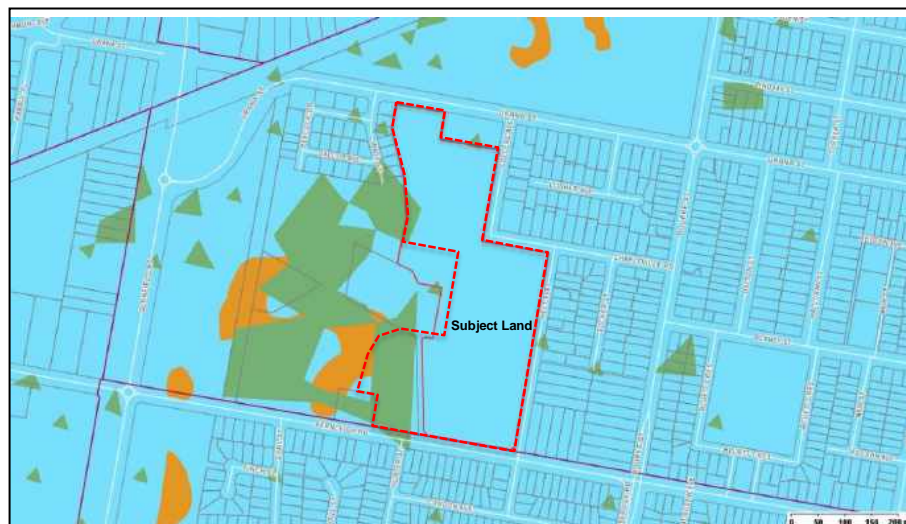


Figure 30: Natural Resources Sensitivity Map - Land, Biodiversity, Groundwater (Source: WWCCGIS 2021)

## 5.6 Aerial Photographs



Figure 31: Aerial Photograph - 1944 (Source: WWCCGIS 2021)



**Figure 32:** Aerial Photograph - 1971 (Source: WWCCGIS 2021)



**Figure 33:** Aerial Photograph - 1990 (Source: WWCCGIS 2021)





Figure 34: Aerial Photograph - 2020 (Source: WWCCGIS 2021)

Gateway consideration by DPIE may also request that additional mapping be prepared to support the exhibition of this Planning Proposal. Where this is the case, a requirement will be included in the Gateway determination list of conditions and actioned by Council.

6 COMMUNITY CONSULTATION DETAILS

(Part 5 of the Guide)

Community consultation will be undertaken in accordance with relevant sections of the Act and Regulations. In addition, the Gateway determination will confirm the extent and nature of community consultation to be undertaken for the purposes of this proposal.

7 PROJECT TIMELINE

(Part 6 of the Guide)

Following lodgment of the Planning Proposal, Council will develop a project timeline including Council acceptance, Gateway determination, public exhibition, reporting, Ministerial (or delegated) approval and implementation.

A draft timeline would take the form of the following example with dates to be confirmed by Council:

Table 7: Draft Project Timeline

Project Step	Date
1. Lodgement of proposal to Council	
2. Consideration and acceptance by Council	
3. Lodgement by Council to NSW Planning for Gateway determination	
4. Gateway determination (formal commencement date)	
5. Completion of required technical information by Council (timeframe)	



## SALVESTRO PLANNING

Project Step	Date
6. Government agency consultation (timeframe pre and post exhibition as required by Gateway determination)	
7. Public exhibition period (timeframe, commencement & completion dates)	
8. Public hearing dates (if required)	
9. Consideration of submissions (timeframe)	
10. Consideration of proposal post exhibition (timeframe)	
11. Submission to the Department to finalise the LEP Amendment	
12. Local plan-making authority date to make the plan (if authorised)	
13. Local plan-making authority date to forward to the PCO for publication	
14. Publication (Gazetted)	
<b>TOTAL (expected days)</b>	

## 8 CONCLUSION

The primary objective of the Planning Proposal is to amend the Local Environmental Plan provisions applicable to the subject land by implementing a rezoning from SP2 Infrastructure (Educational Establishment) to R1 General Residential. This will facilitate further residential development of the land, including other compatible land uses, and capitalise on the land's locational strengths within the greater Wagga Wagga urban setting. It will also contribute to community growth, well-being and expansion of the local economy, thereby triggering further local investment, job creation and additional resources for community support services.

The proposal is considered to have strategic merit as it:

- Supports and is consistent with relevant goals and directions of the Riverina Murray Regional Plan 2036;
- Is consistent with the strategic directions, themes, principles and relevant key action items of the Wagga Wagga Local Strategic Planning Statement 2040, in particular those relating to priorities of infill development, housing choice, economic development, employment activity and the environment;
- Contributes to achieving the strategic directions and recommendations of other relevant local strategies including Wagga View - Community Strategic Plan 2040, Recreation, Open Space and Community Strategy & Implementation Plan 2040, Integrated Transport Strategy and Implementation Plan 2040, and Biodiversity Strategy Maldhangilanha 2020-2030;
- Satisfies the requirements of relevant State Planning Policies;
- Is consistent with applicable Ministerial Directions, and where any inconsistency has been identified, that inconsistency is justified;
- Has identified and provided specialist response to key environmental, social and economic issues to ensure ecologically sustainable development, in particular matters relating to urban salinity, contaminated land and biodiversity;
- Confirmed that adequate public infrastructure is available to the site to service future residential development activity;
- Allows more efficient use of redundant institutional land that has distinctive site-specific locational advantages due to its proximity to existing urban services and infrastructure networks;
- Provides the opportunity for improved local amenity through the application of good urban design and local environmental embellishments; and
- Is in the general public interest of the local and wider community.

The Planning Proposal identifies relevant environmental, social, economic and site-specific considerations and the means to successfully manage any potential impact generated from future residential development of the land. The proposal is in the strategic interest of the City and is recommended for endorsement.

## SALVESTRO PLANNING

**20018: Document History**

Revision No.	Date	Authorised By	Signature	Notes
Rev 1.0 – Draft	14/03/20	Rhiana Turner Assistant Planner	RT	For internal review
Rev 1.1 – Draft	12/05/20	Garry Salvestro Director	GS	For preliminary assessment by Council and client review.
Rev 1.2 – Draft	28/05/20	Garry Salvestro Director	GS	Updated draft for preliminary assessment by Council with client edits.
Rev 1.3 – Draft	28/10/21	Garry Salvestro Director	GS	Updated draft following preliminary assessment by Council with subsequent edits.
Rev 1.4 – Draft	10/11/21	Garry Salvestro Director	GS	Final draft for client review prior to lodgement.
Rev 2.0 – Final	15/11/21	Garry Salvestro Director	GS	Issued for formal lodgment



**Salvestro Planning**  
 16 Fitzmaurice Street  
 PO Box 783  
 WAGGA WAGGA NSW 2650

Telephone: (02) 6921 8588  
 Facsimile: (02) 6921 8388  
 Email: [admin@salvestroplanning.com.au](mailto:admin@salvestroplanning.com.au)  
 Website: [www.salvestroplanning.com.au](http://www.salvestroplanning.com.au)

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**\*\*Note:** The following controls have been drafted to form part of Section 9 of the Wagga Wagga Development Control Plan 2010 if adopted. \*\*

## Part D

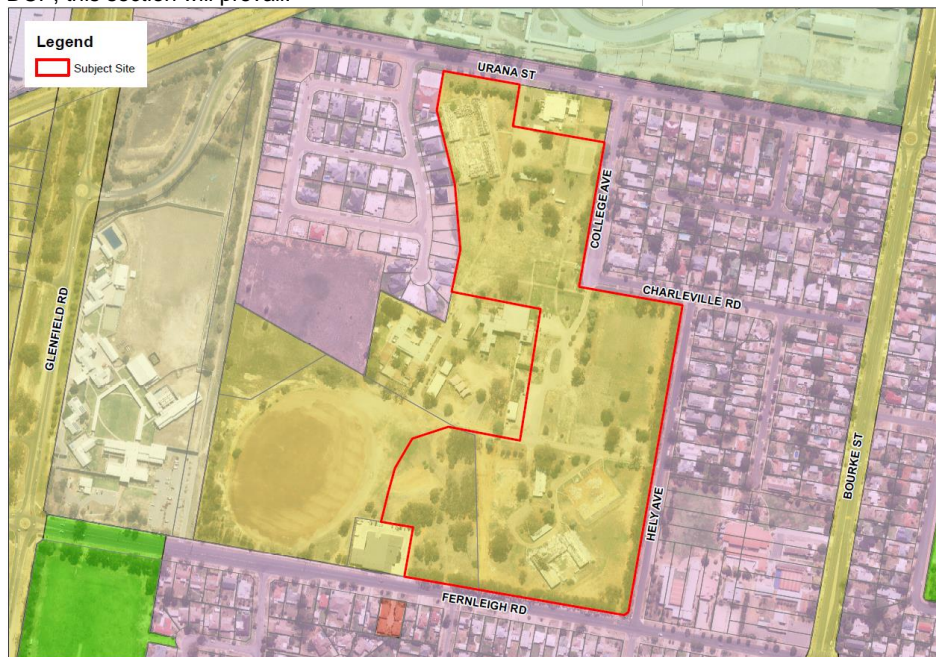
### Section 9 – Residential Development

DRAFT

## Explanatory Note (s):

**Additional Controls: Hely Avenue, Urana Street and Fernleigh Road precinct.****Where these controls apply**

The controls contained under this section apply to the land identified in Figure 9.1.2. Development shall comply with other relevant sections of the DCP as well as this section. Where there is inconsistency between this section and other sections of the DCP, this section will prevail.



**Figure 9.1.2.1: Hely Avenue, Urana Street and Fernleigh Road precinct**

**About the Precinct**

The site is the former CSU South Campus site and has been transitioning to a residential estate, with the first residential transition occurring immediately north-west of this site as part of the 'College Estate' development.

The site has a long history and association with education, specifically, Charles Sturt University. Education will continue to be a prominent feature of the area with a portion of the site retained for education purposes.



Objectives for the Precinct	Explanatory Note (s):
<p>O1 Provide for residential development.</p> <p>O2 Promote greater housing diversity and affordability through choices of lots capable of accommodating a variety of dwelling typologies and densities.</p> <p>O3 Retain valuable flora and fauna and provide for the retention within public open space areas.</p> <p>O4 Contribute to the mitigation of salinity risks.</p> <p>O5 Provide efficient and sustainable infrastructure connections to the development.</p> <p>O6 Ensure contamination risks are remediated prior to construction.</p>	
Controls for the Precinct	
<p>C1 Residential subdivision should deliver a range of lot sizes capable of accommodating a variety of housing types and facilitate affordable housing.</p> <p>C2 Lots must front public open space.</p> <p>C3 The Ecological Assessment provided at planning proposal stage (LEP21/0003) identifies the clearing proposed for development. The clearing is shown in Figures 9.1.2.2 and 9.1.2.3. Any clearing proposed in addition to that identified, is to be considered as clearing in addition to clearing identified.</p> <p>C4 Clearing identified is to be offset at a ratio of 1:1 with location and species to be determined by Council.</p> <p>C5 Street trees and landscaping plans to be provided to Council for approval with species selection to be appropriate for contributing to the management and withstanding of salinity conditions.</p> <p>C6 The existing stormwater network within 'College Estate' on Fernleigh Road provides the stormwater legal point of discharge for this precinct.</p> <p>C7 Development will access the external road network via a north-south road with connection to College Avenue / Charleville Avenue via a roundabout and at the south with a new intersection with Fernleigh Road and a short channelised right-turn lane.</p> <p>C8 The Detailed Site Investigation and Remediation Action Plan undertaken at planning proposal stage (LEP21/0003) provides the details of what contamination exists and what remediation is required prior to construction. Remediation is to be supported by validation sampling, asbestos clearance inspections and certificates, management of unexpected finds protocol, and underground services and pit removal.</p>	<p>The original ecological assessment is to form the basis for assessment of cumulative impacts of clearing to avoid incremental clearing without appropriate offsets.</p> <p>Vegetation within this location contributes to salinity management with trees and deep-rooted plants being an effective mechanism for reducing groundwater.</p> <p>Remediation validation will ensure the site is made suitable for residential use and does not pose a risk to human health.</p>



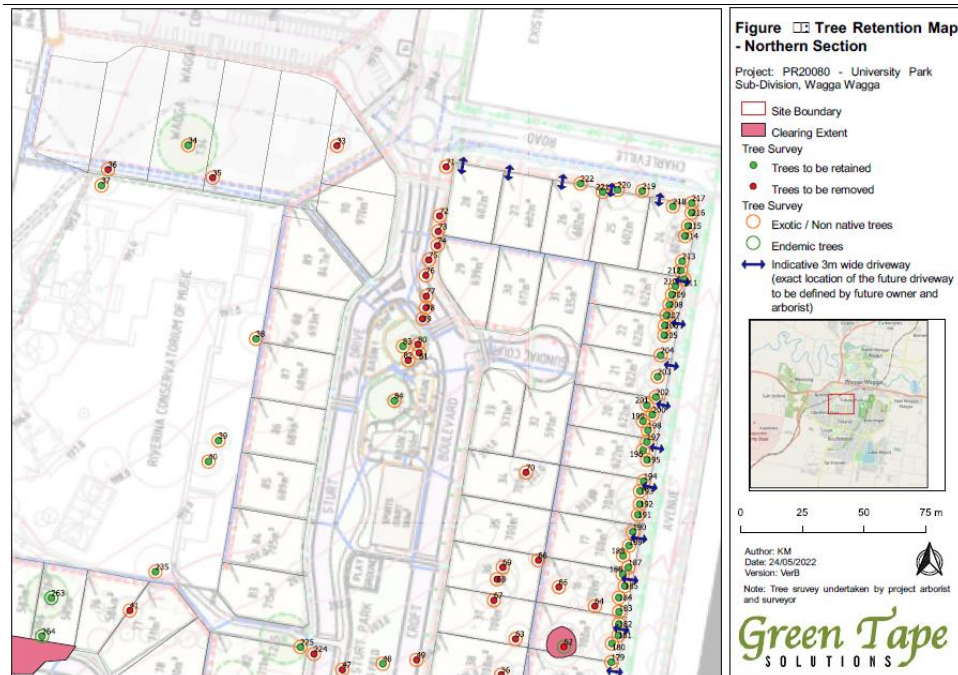


Figure 9.1.2.2: Tree Retention and Clearing

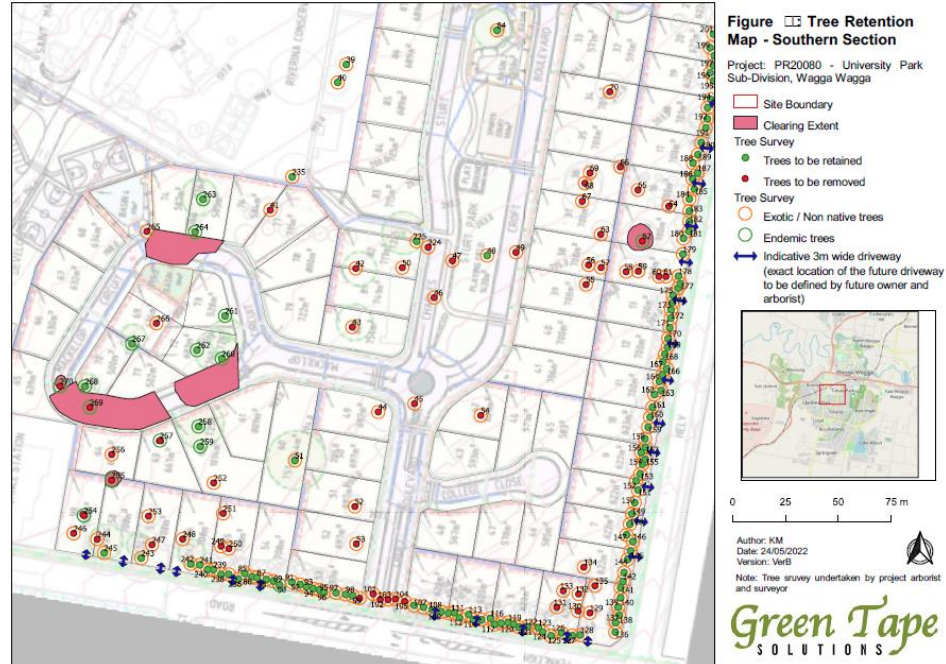


Figure 9.1.2.3: Tree Retention and Clearing



## Department of Planning and Environment

## Gateway Determination

**Planning proposal (Department Ref: PP-2022- 2845):** *Amendment to Wagga Wagga Local Environmental Plan 2010 – part of 20 Hely Avenue and part of 121 Fernleigh Street, Turvey Park, Wagga Wagga*

I, the Director, Western Region, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Wagga Wagga Local Environmental Plan 2010* to change the zone for part of 20 Hely Avenue and part of 121 Fernleigh St, Turvey Park to zone R1 General Residential should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal to-
  - Update the Project Timeframe to ensure the plan is finalised within six (6) months
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) The planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of **28** days; and
  - (b) The planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).



4. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
- (a) The planning proposal authority has satisfied all the conditions of the gateway determination; and
  - (b) The planning proposal remains consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) There are no outstanding written objections from public authorities.

The LEP should be completed within 6 months of the date of the Gateway determination.

Dated 14<sup>th</sup> day of October 2022.



**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning**

PP-2022- 2845 (IRF22/3037)