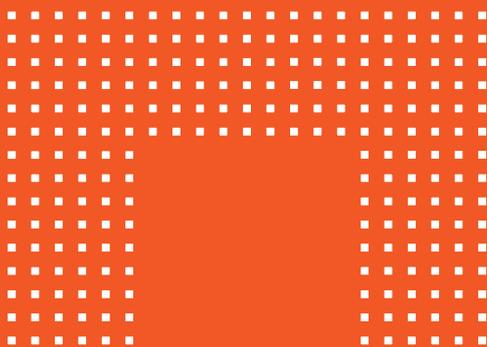
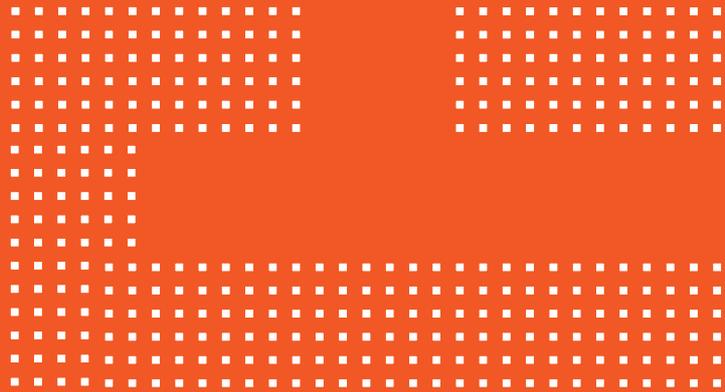
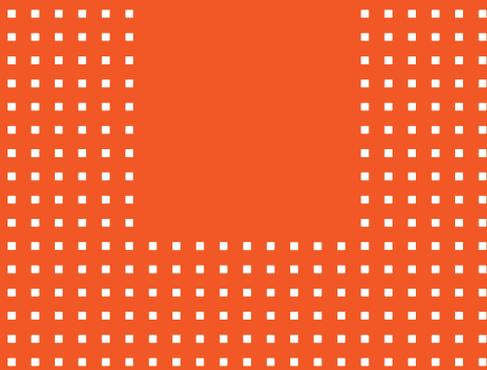
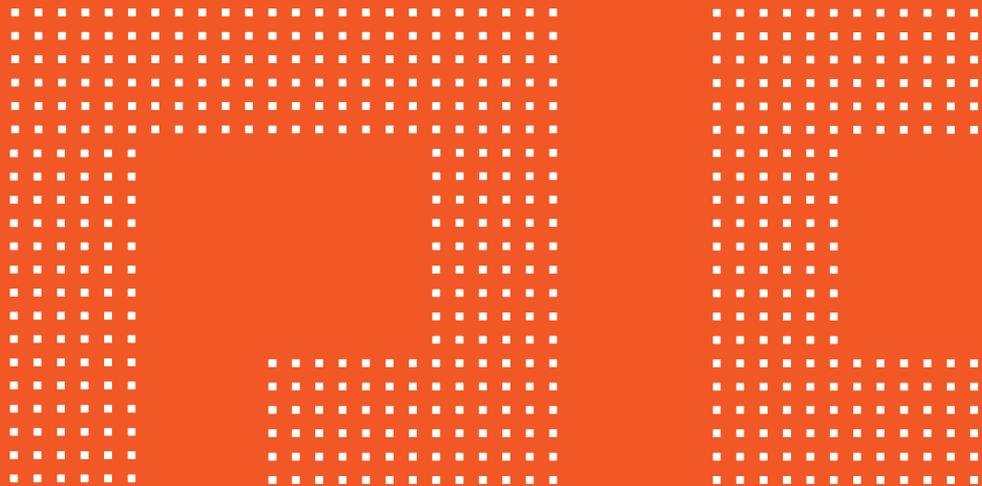
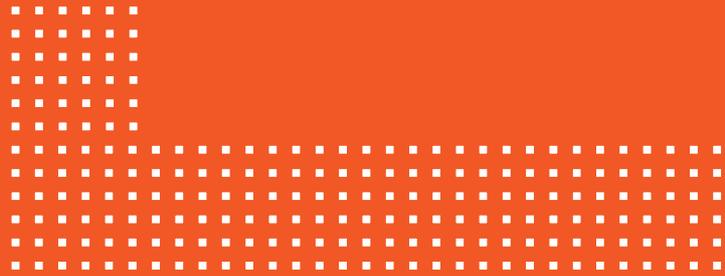


habitat planning

## Planning Proposal

Part Lot 6013 in DP1209232  
Rainbow Drive, Estella

May 2019





**Prepared for**

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# Attachments

- A. Assessment of consistency with State Environmental Planning Policies
- B. Assessment of consistency with Ministerial Directions
- C. Assessment of consistency with the *Riverina Murray Regional Plan 2036*

# Introduction

This is a Planning Proposal seeking an amendment to the *Wagga Wagga Local Environmental Plan 2010* (WWLEP) to rezone approximately 2,500m<sup>2</sup> of land in Estella from RE1 Public Recreation to B2 Local Centre. The proposal represents a minor extension of the adjoining B2 zone to provide an adequately sized parcel of land for a future commercial development.

The land the subject of the zone change is described as a small part of Lot 6013 in DP1209232, (“the subject land”). It is located on the western side of Rainbow Drive approximately 170 metres of the intersection with Avocet Drive. The land is close to the top of a ridgeline extending east/west through this part of Estella and is therefore a prominent site in the landscape. The land slopes down towards Rainbow Drive and is separated from lower land to the south by the road reserve.

The spatial context of the subject land is shown in Figures 1, 2 and 3 with photographs at Figures 8, 9, 10 and 11.

The Planning Proposal has been structured and prepared in accordance with the Department of Planning and Environment’s (DPE) *A guide to preparing planning proposals* (“the Guide”).

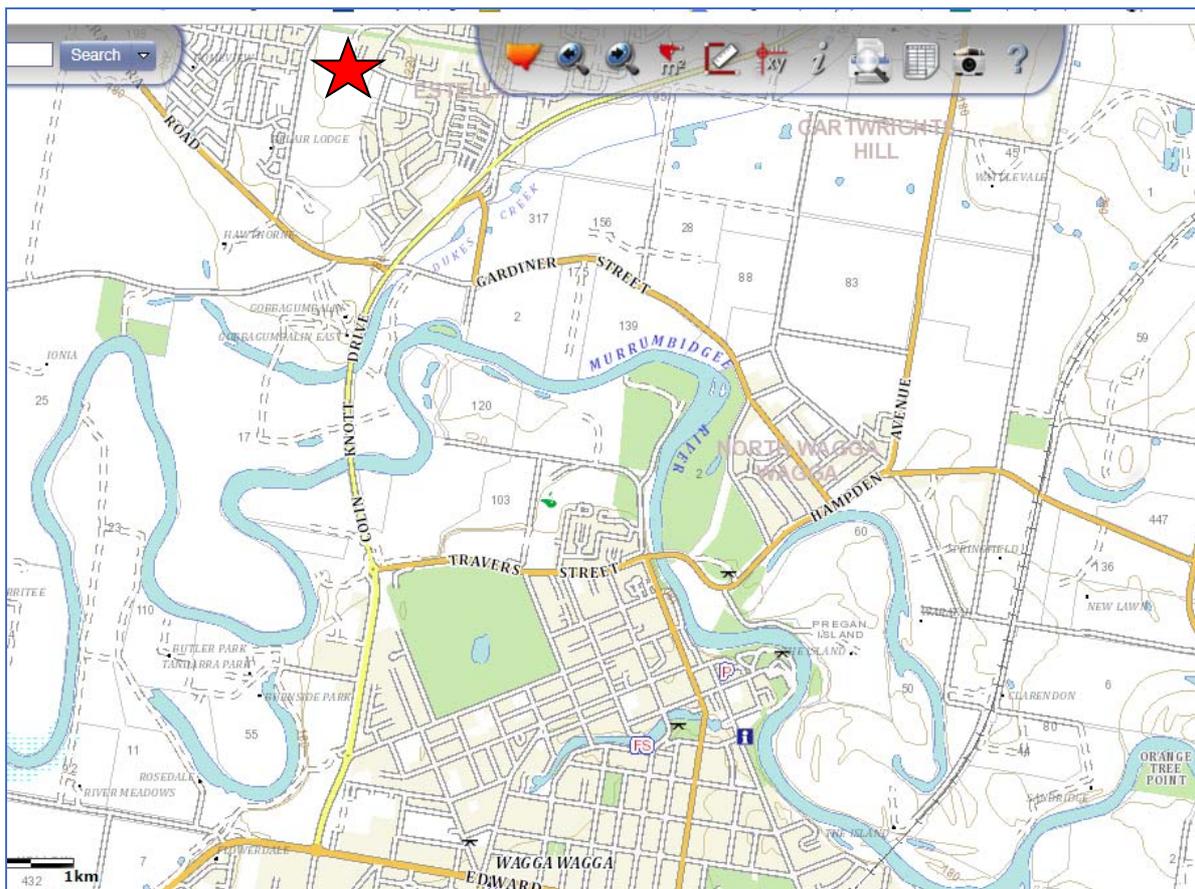


FIGURE 1: Location of subject land within the context of Wagga Wagga (Source: SIX Maps)

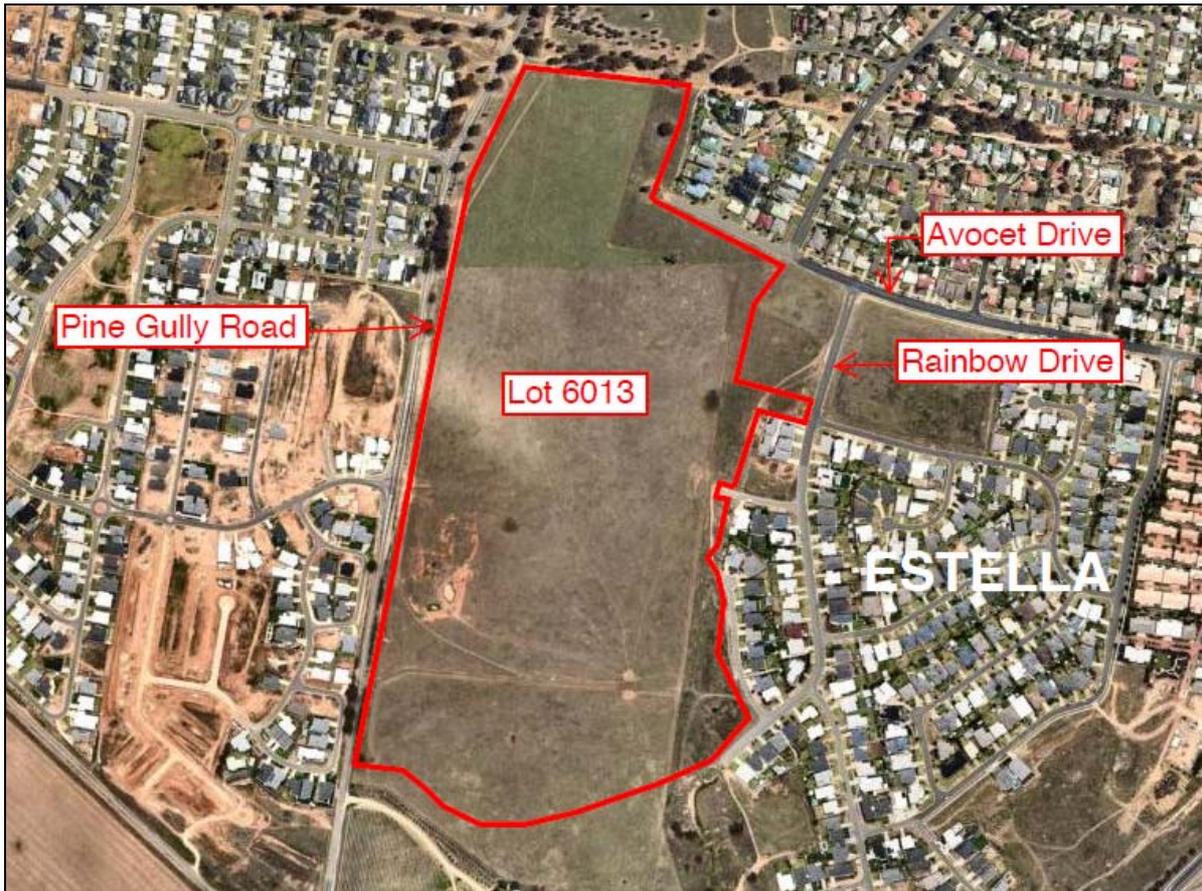


FIGURE 2: The lot within which the land proposed for rezoning is located (Source: nearmap)



FIGURE 3: The subject land to be rezoned (Source: nearmap)

## PART 1. Intended outcomes

The intended outcome of the Planning Proposal is to provide an area of appropriately zoned land of sufficient size to develop a commercial local centre on the corner of Avocet and Rainbow Drives in Estella (see Figure 2).

The local centre will service the local community in Estella (including the Charles Sturt University campus) as well as other commuting communities such as Gobbagombalin, Boorooma and Cartwrights Hill. There is currently no local centre north of the Murrumbidgee River. The proposed local centre will reduce the reliance of residents within these communities to undertake their 'weekly shop' in Wagga Wagga and therefore curtail local traffic on the Olympic Highway, including the long two lane Gobbagombalin Bridge.

## PART 2. Explanation of the provisions

The intended outcomes of the Planning Proposal will be achieved by:

- amending the Land Zoning Map - Sheet LZN\_003C in the WWLEP to show the subject land zoned as B2 Local Centre (see Figure 4); and
- amending the Land Reservation Acquisition Map - Sheet LRA\_003B in the WWLEP to remove the Local Open Space (RE1) designation over the subject land (see Figure 5)

The zoning change will facilitate the intended development outcome and the deletion of the Land Reservation Acquisition designation is necessary as the subject land will no longer be required by Council for open space purposes.



FIGURE 4: Existing and proposed land zoning (Source: Council's Online mapping)



FIGURE 5: Proposed change to Land Reservation Acquisition Map  
(Source: Council's Online mapping)

## PART 3. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

### Section A. Need for the planning proposal

**Q1. Is the planning proposal a result of any strategic study or report?**

Not directly for the subject land, however the draft *Northern Growth Area Structure Plan* does identify the land on the corner of Avocet and Rainbow Drives for a 'local centre'.

**Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The development footprint required for the proposed local centre is too large for the current area of B2 zoned land on the corner of Avocet and Rainbow Drives. As such development is prohibited within the RE1 zone, the existing B2 zone needs to be extended to accommodate the development footprint.

There are no options open to achieving the intended outcome without amending the WWLEP. Whilst there are alternative amendment options such as allowing for a local centre on the RE1 zoned land as an 'Additional permitted use' in Schedule 1 of the WWLEP, these

are inferior to changing the zoning so as all of the future development is within the same zone.

## Section B. Relationship to strategic planning framework

**Q3. 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)?**

The *Riverina Murray Regional Plan 2036* (RMRP) was adopted by the NSW government in 2017. The Minister's foreword to the document states that the RMRP "*encompasses a vision, goals and actions geared towards delivering greater prosperity in the years ahead for those who live, work and visit this important region.*"

An assessment against the goals and directions of the RMRP (where relevant to the Planning Proposal) is undertaken in Attachment 'C'. This assessment concludes that the proposal is not inconsistent with the broad context of the RMRP.

**Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

The *Wagga Wagga Spatial Plan 2013/2043* (WWSP) is the principal local strategic plan for Wagga Wagga. The intention of the WWSP is stated in the introduction as providing:

*.... clear strategic indicators for the development of Wagga Wagga over the next 30 years and beyond. It is the key strategic planning document for directing and managing urban growth and change.*

The proposal supports the objectives of the WWSP to facilitate development of a prosperous city, to support viable neighbourhood centres and to provide flexible opportunities and appropriate locations for establishing.

Key actions within the WWSP include developing commercial precincts to facilitate future development and reviewing neighbourhood centre zones to ensure they reflect the specific needs of each neighbourhood.

The Urban Legend map in the WWSP identifies land at the intersection of Avocet and Rainbow Drives in Estella for "*Urban Land*". In addition, the actions to be undertaken in implementing the WWRGS for business include:

- Review and update the retail hierarchy.
- Develop commercial precincts to facilitate future development.
- Develop a retail strategy to provide the necessary flexibility in retailing within Wagga Wagga and reflect changing retail patterns.
- Update the current *Retail Growth Strategy 2010-2025*.

The Planning Proposal in conjunction with the future local centre development is not inconsistent with these intended strategic outcomes.

The purpose of the *Wagga Wagga Retail Growth Strategy 2010-2025* (WWRGS) is stated as:

*.... to provide Wagga Wagga City Council with a comprehensive analysis of its existing retail hierarchy and to provide recommendations to inform Council on future decisions on how to facilitate the growth of Wagga Wagga's retail sector in a sustainable manner and which provides the greatest economic, social and environmental benefit to Council, to the Wagga Wagga retail sector and to the greater Wagga Wagga community.*

The WWRGS (and its 2007 predecessor) advocates for the establishment of a local centre in the Estella/Boorooma locality principally based on the demand generated by population growth in this area. Table 1 and Figure 6 are extracted from the WWRGS and show the expected population growth for the North Catchment being that land north of the Murrumbidgee River. The table shows that more than half of Wagga Wagga's population growth is expected to be accommodated in this catchment and at a very rapid rate (7.4% per annum).

**Table 5.2: Projected Population by Catchment**

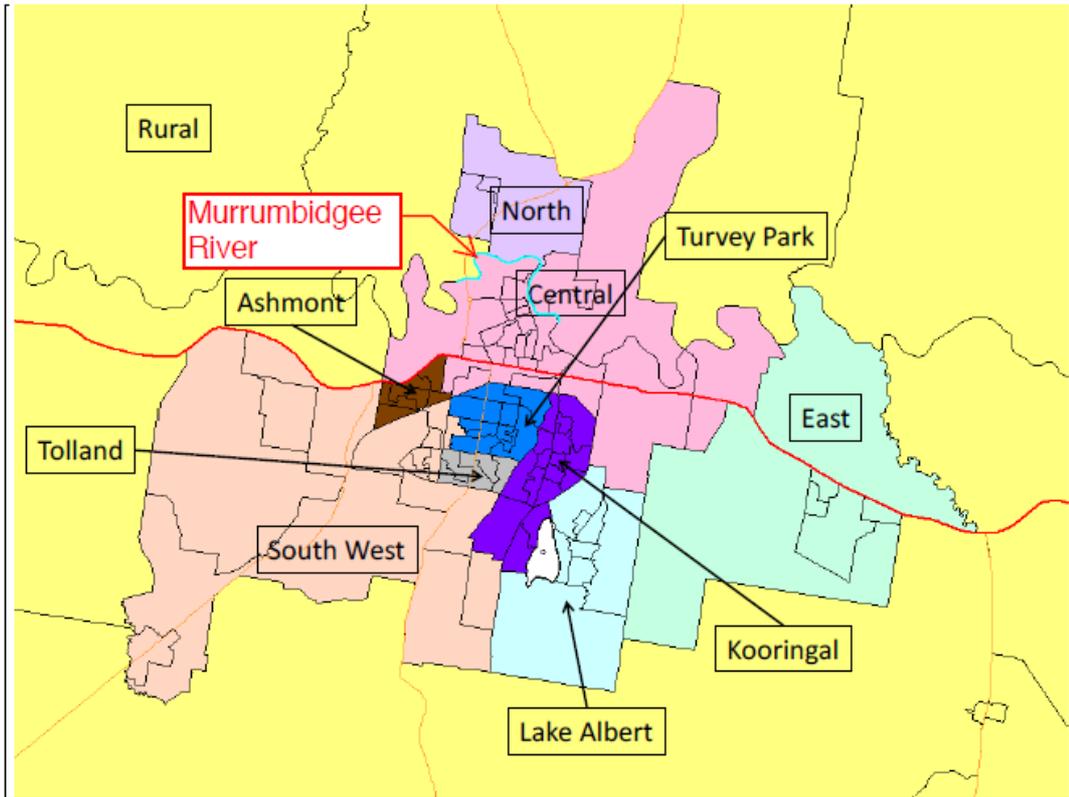
| Catchment    | 2010           | 2015           | 2020           | 2025           | Growth        | % Ann Growth |
|--------------|----------------|----------------|----------------|----------------|---------------|--------------|
| Central      | 9,072          | 9,122          | 9,172          | 9,222          | 150           | 0.1%         |
| Ashmont      | 4,560          | 4,601          | 4,649          | 4,707          | 146           | 0.2%         |
| South West   | 11,453         | 13,193         | 14,553         | 15,753         | 4,300         | 2.1%         |
| Tolland      | 3,968          | 4,026          | 4,099          | 4,174          | 206           | 0.3%         |
| Turvey Park  | 7,680          | 7,704          | 7,729          | 7,754          | 74            | 0.1%         |
| Koorinal     | 11,212         | 11,253         | 11,301         | 11,359         | 146           | 0.1%         |
| Lake Albert  | 4,779          | 4,909          | 5,043          | 5,117          | 338           | 0.5%         |
| East         | 2,575          | 2,631          | 2,703          | 2,778          | 203           | 0.5%         |
| <b>North</b> | <b>3,258</b>   | <b>4,546</b>   | <b>6,803</b>   | <b>9,498</b>   | <b>6,241</b>  | <b>7.4%</b>  |
| Rural        | 5,010          | 5,052          | 5,100          | 5,158          | 148           | 0.2%         |
| <b>PTA</b>   | <b>63,568</b>  | <b>67,038</b>  | <b>71,152</b>  | <b>75,520</b>  | <b>11,953</b> | <b>1.2%</b>  |
| STA          | 49,076         | 48,735         | 48,436         | 48,151         | -924          | -0.1%        |
| <b>MTA</b>   | <b>112,643</b> | <b>115,772</b> | <b>119,589</b> | <b>123,671</b> | <b>11,028</b> | <b>0.6%</b>  |

Note: By place of usual residence.

Source: ABS (2007), ABS (2010), DoP (2008), AECgroup

**TABLE 1:** Extract from *Wagga Wagga Retail Growth Strategy 2010-2025*

Figure 5.3: Primary Trade Area Catchments - Zoom



Source: AECgroup

FIGURE 6: Annotated extract from *Wagga Wagga Retail Growth Strategy 2010-2025*

This northern centre is identified as an 'opportunity' for the retail sector of Wagga Wagga in the SWOT analysis undertaken by the WWRGS. The timing of the centre is stated as between 2014-16 hence the development, at least according to the WWRGS, is already overdue. There is a specific action within the WWRGS relating to the need to establish a local centre in Estella/Boorooma.

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

Attachment 'A' provides an assessment of the Planning Proposal against all current State Environmental Planning Policies (SEPP's). In summary, many of the SEPP's are not applicable to the Wagga Wagga local government area and even less are applicable to the circumstances of the Planning Proposal.

The assessment concludes that the Planning Proposal is not inconsistent with any of the relevant SEPP's.

***Q5. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?***

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A

Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of “*minor significance*”.

An assessment of all S117 Directions is undertaken in Attachment ‘B’. In summary, the Planning Proposal is either consistent or has some minor inconsistencies with the relevant Directions. Where there is an inconsistency, it has been justified utilising the provisions within each of the Directions.

## Section C. Environmental, social & economic impact

**Q6. *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?***

The Planning Proposal relates to a small parcel of land that has little to no biodiversity value due to the lack of vegetation and modified environment. Consequently, there are no threatened species or their habitat that can be affected by the proposal.

**Q7. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

The Planning Proposal seeks to add 2,500m<sup>2</sup> of land to the existing B2 zoned land on the corner of Avocet and Rainbow Drives. The additional land is necessary so as an appropriately sized commercial local centre can be developed to serve the Estella, Boorooma, Gobbagombalin and other Wagga Wagga suburbs north of the Murrumbidgee River. The land to be developed for the local centre has been used for broad-acre agriculture for more than 100 years and is devoid of vegetation other than pasture grasses. Consequently, the development of the land will not result in any detrimental environmental impacts.

A potential access from Rainbow Drive through to the future open space from opposite Alma Crescent will be lost with the rezoning and future local centre development. There is however access available from Rainbow Crescent via Claymore Road approximately 100 metres to the south as well as around the corner in Avocet Drive. Consequently, there is no detrimental impact in terms of access to open space by the public.

There is a potential loss of amenity for the residents of the adjoining property on the southern side of the subject land resulting from a commercial development proposed to occupy space previously intended for open space. The future commercial development will be the subject of a development application to Council and provide the community with the opportunity to comment. It is noted that it is an objective of Section 10.3 of the *Wagga Wagga Development Control Plan 2010* (WWDCP) that local centres “*ensure good integration with adjoining residential areas.*” Development controls supporting that objective include:

- *Setbacks, building design and location – locate building bulk to ensure acceptable setbacks to any adjoining residential land. A landscaped buffer may be required.*
- *Design and locate signs to minimise light spill to adjoining or nearby residential land.*

- *Design and location of loading and unloading facilities away from residential properties close to the site and provide adequate screening.*
- *Locate services and any mechanical vents or equipment away from residential development.*
- *Hours of operation are generally not to exceed 6am to 9pm daily. However dispensation may be considered for uses licensed to operate beyond those times, based on individual merits.*

The application of these controls to the future centre development will ensure that the amenity of the adjoining neighbour is protected.

**Q8. *Has the planning proposal adequately addressed any social and economic effects?***

There will be a positive social and economic effect for residents of Estella, Boorooma, Gobbagombalin and other Wagga Wagga suburbs north of the Murrumbidgee River stemming from a new local centre where currently one does not exist. The Planning Proposal will assist in facilitating the local centre by creating a site suitable for the scale of development proposed. The new centre will provide residents of Estella with choice in their daily and weekly shopping needs and remove the necessity of having to travel some distance into Wagga Wagga proper to undertake this task. The development will have a local economic benefit both through construction and operation of the new local centre.

## Section D. State & Commonwealth interests

**Q9. *Is there adequate public infrastructure for the planning proposal?***

Being located adjacent to serviced urban residential development, the subject land has access to all urban infrastructure. There is capacity within this infrastructure to accommodate the demands created by the future development of the subject land.

**Q10. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?***

No public authorities have been consulted prior to submitting the Planning Proposal to Council for support and subsequent request for a Gateway Determination.

## PART 4. Mapping

Maps and figures associated with the Planning Proposal are interspersed throughout the report where necessary to support responses to the various sections. Additional maps and figures are included below.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

|   |  |
|---|--|
| 0 | Aboriginal sites are recorded in or near the above location.         |
| 0 | Aboriginal places have been declared in or near the above location.* |

FIGURE 7: Results of AHIMS search (Source: OEH)



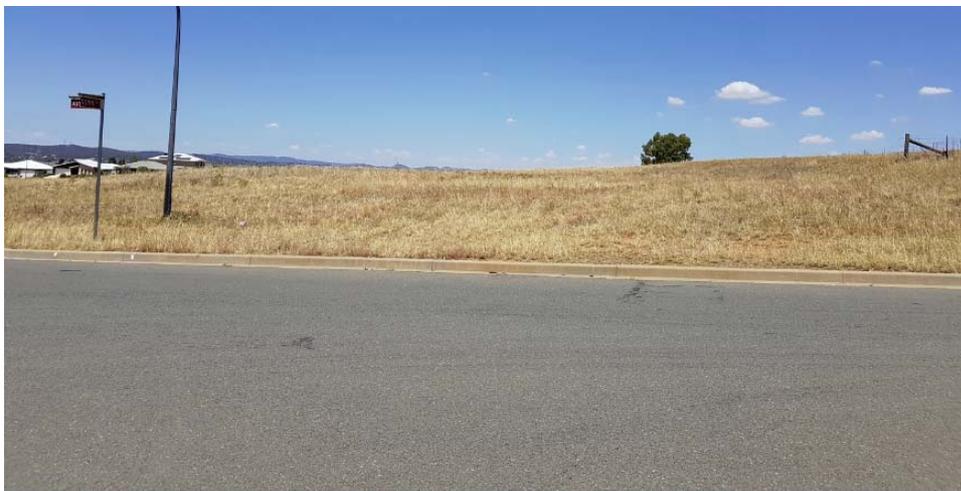
FIGURE 8

View from  
Rainbow Drive of  
the subject land.



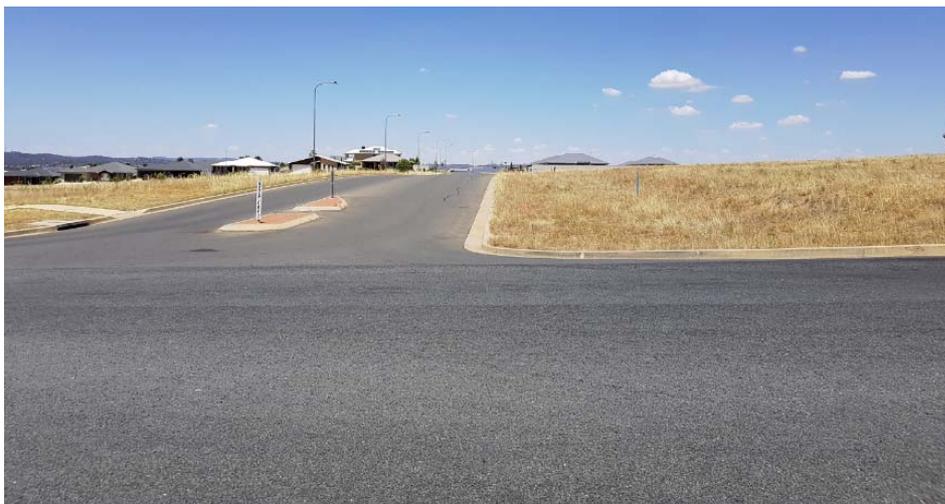
**FIGURE 9**

View south along Rainbow Drive with subject land on the right.



**FIGURE 10**

View from Avocet Drive towards the subject land demonstrating the elevated position.



**FIGURE 11**

Intersection of Avocet and Rainbow Drives.

## PART 5. Community consultation

Following the Gateway Determination it is likely the Planning Proposal will be subject to community consultation. The determination will specify how the community consultation must be undertaken for the Planning Proposal, if any.

As such, the consultation requirements are not known at this stage.

## PART 6. Project timeline

The project timeline for the Planning Proposal will be provided by Council.

There are many factors that can influence adherence with the timeframe including the cycle of Council meetings, consequences of agency consultation (if required) and outcomes from public exhibition. Consequently, the timeframe should be regarded as indicative only.

## Conclusion

The Planning Proposal is to rezone 2,500m<sup>2</sup> of land in Rainbow Drive, Estella from RE1 Public Recreation to B2 Local Centre and remove the public land acquisition overlay. The purpose of the proposal is to facilitate a site, in conjunction with the adjoining B2 zoned land, suitable for the development of an appropriately sized commercial local centre.

In summary, the Planning Proposal is considered to have merit because:

- it is consistent with Council's strategic planning for Estella and Wagga Wagga as a whole;
- there are no detrimental environmental impacts;
- there will be a positive social and economic impact for the residents of Estella through the establishment of a local centre;
- the area of land 'lost' to future public open space is minor within the context of the existing and future provision of open space in Estella;
- the benefits of a local centre to the local community outweigh the loss of the future open space (i.e. it is in the public interest); and
- it generally complies with State Environmental Planning Policies as well as Ministerial Directions.

## Attachment 'A'

Consistency with State Environmental Planning  
Policies

| No. | Title   | Consistency   |
|-----|---|---|
| 1   | Development Standards   | Not applicable since gazettal of WWLEP.   |
| 14  | Coastal Wetlands  | Not applicable to the local government area of Wagga Wagga.   |
| 19  | Bushland in Urban Areas   | Not applicable to the local government area of Wagga Wagga.   |
| 21  | Caravan Parks   | The Planning Proposal does not conflict with the aims, development consent requirements, number of sites being used for long term or short-term residents, permissibility of moveable dwellings where caravan parks or camping grounds are also permitted, and subdivision of caravan parks for lease purposes as provided in the SEPP.   |
| 26  | Littoral Rainforests  | Not applicable to the local government area of Wagga Wagga.   |
| 30  | Intensive Agriculture   | Not relevant as cattle feedlots and piggeries are prohibited in the RE1 and B2 zones.   |
| 33  | Hazardous & Offensive Development                                 | The Planning Proposal does not affect the provisions of this SEPP. It is unlikely that an application for hazardous or offensive industry would be successful in either the RE1 or B2 zones.  |
| 36  | Manufactured Home Estate  | The Planning Proposal does not conflict with the aims, strategies, development consent, assessment and location provisions as provided in the SEPP.   |
| 44  | Koala Habitat Protection  | Regardless of the zone, this SEPP would apply to any future development of the land for which consent is required as Wagga Wagga is nominated as one of the LGA's to which it applies and the lot within which the subject land is located has an area in excess of one hectare. Given the absence of trees and in particular those nominated in Schedule 2, the SEPP would have no effect on any future development application.   |
| 47  | Moore Park Showground   | Not applicable to the local government area of Wagga Wagga.   |
| 50  | Canal Estate Development  | The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided in the SEPP.  |
| 52  | Farm Dams and Other Works in Land and Water Management Plan Areas | Not applicable as the subject land is not within any of the nominated irrigation areas or districts in the SEPP.  |
| 55  | Remediation of Land   | As the Planning Proposal will permit a change in use of the subject land and the previous use was agriculture, Clause 6 of this SEPP requires Council to consider whether it is potentially contaminated. Council can be satisfied in this regard as the land use history is one of rural with low scale agriculture (cropping and grazing). There is no visible evidence of any 'hot spots' where an activity may have been undertaken on the subject land leading to potential soil contamination (e.g. sheep dip or machinery shed). |
| 62  | Sustainable Aquaculture   | Not relevant as 'aquaculture' (as a subset of 'agriculture') is prohibited within the RE1 and B2 zones.   |
| 64  | Advertising & Signage   | The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided in the SEPP.  |

| No. | Title   | Consistency  |
|-----|---|--|
| 65  | Design Quality of Residential Flat Development            | The Planning Proposal does not conflict with the aims, development consent, assessment, information and notification requirements as provided in the SEPP.<br>It is noted a residential flat building could only be contemplated in the B2 zone as 'shop top housing'.   |
| 70  | Affordable Housing (Revised Schemes)                      | Not applicable to the local government area of Wagga Wagga.  |
| 71  | Coastal Protection  | Not applicable to the local government area of Wagga Wagga.  |
|     | Affordable Rental Housing 2009                            | The Planning Proposal does not conflict with the aims and functions of this SEPP as changes do not discriminate against the provision of affordable housing (and consequently affordable rental housing).<br>The B2 zone creates the opportunity on the land proposed for rezoning, for the type of housing contemplated by this SEPP. The WWLEP cannot influence the provision of rental housing. |
|     | Building Sustainability Index (BASIX) 2004                | The Planning Proposal does not conflict with the aims and development consent requirements relating to BASIX affected building(s) that seeks to reduce water consumption, greenhouse gas emissions and improve thermal performance as provided in the SEPP.  |
|     | Coastal Management 2018                                   | Not applicable to the local government area of Wagga Wagga.  |
|     | Educational Establishments & Child Care Facilities 2017   | The provisions of this SEPP apply equally to the RE1 and B2 zones and are unaffected by the proposal.  |
|     | Exempt & Complying Development Codes 2008                 | The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.  |
|     | Housing for Seniors & People with a Disability 2004       | Not applicable as neither the existing or proposed zone caters for seniors housing.  |
|     | Infrastructure 2007                                       | The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.  |
|     | Integration & Appeals 2016                                | Not applicable to the proposal.  |
|     | Kosciuszko National Park – Alpine Resorts 2007            | Not applicable to the local government area of Wagga Wagga.  |
|     | Kurnell Peninsula 1989                                    | Not applicable to the local government area of Wagga Wagga.  |
|     | Mining, Petroleum Production & Extractive Industries 2007 | The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided in the SEPP.   |
|     | Miscellaneous Consent Provisions 2007                     | The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to temporary structures as provided in the SEPP.   |

| No. | Title  | Consistency   |
|-----|--|---|
|     | Murray Regional Environmental Plan No. 2 – Riverine Land | Not applicable to the local government area of Wagga Wagga.   |
|     | Penrith Lakes Scheme 1989                                | Not applicable to the local government area of Wagga Wagga.   |
|     | Rural Lands 2008   | Not applicable as the proposal does not relate to rural land.   |
|     | State & Regional Development 2011                        | Not applicable as the Planning Proposal is not for State significant development.                     |
|     | State Significant Precincts                              | Not applicable as the subject land is not within a State significant precinct.                        |
|     | Sydney Drinking Water Catchment 2011                     | Not applicable to the local government area of Wagga Wagga.   |
|     | Sydney Region Growth Centres 2006                        | Not applicable to the local government area of Wagga Wagga.   |
|     | Four Ports 2013  | Not applicable to the local government area of Wagga Wagga.   |
|     | Urban Renewal 2010                                       | Not applicable as the subject land is not within a nominated urban renewal precinct.                  |
|     | Vegetation in Non-Rural Areas 2017                       | The provisions of this SEPP apply equally to the RE1 and B2 zones and are unaffected by the proposal. |
|     | Western Sydney Employment Area 2009                      | Not applicable to the local government area of Wagga Wagga.   |
|     | Western Sydney Parklands 2009                            | Not applicable to the local government area of Wagga Wagga.   |

## Attachment 'B'

Consistency with Ministerial Directions

| No.       | Title   | Consistency  |
|-----------|---|--|
| <b>1.</b> | <b>Employment &amp; Resources</b>                     |  |
| 1.1       | Business & Industrial Zones                           | <p>This direction is relevant because the Planning Proposal proposes a business zone.</p> <p>The Planning Proposal is consistent with the direction because:</p> <ul style="list-style-type: none"> <li>• it achieves the objectives of encouraging employment growth (in the future local centre) and protecting land in business zones;</li> <li>• it does not decrease the area of existing business zones; and</li> <li>• it does not decrease potential business floorspace.</li> </ul> |
| <b>2.</b> | <b>Environment &amp; Heritage</b>                     |  |
| 2.1       | Environment Protection Zones                          | <p>This direction is relevant because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not involve land identified as environmentally sensitive.</p>   |
| 2.3       | Heritage Conservation                                 | <p>This direction is relevant because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not affect existing provisions within the WWLEP relating to the protection of known European and Aboriginal heritage.</p>   |
| 2.4       | Recreation Vehicle Areas                              | <p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with the direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i>.</p>  |
| <b>3.</b> | <b>Housing Infrastructure &amp; Urban Development</b> |  |
| 3.2       | Caravan Parks & Manufactured Home Estates             | <p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is inconsistent with this direction because the RE1 zone permits caravan parks whereas the proposed B2 zone doesn't. This inconsistency is considered justified on the basis it is of "<i>minor significance</i>" involving just 2,500m<sup>2</sup> of land.</p>   |
| 3.3       | Home Occupations                                      | <p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal will not prevent any future dwellings on the subject land being used for 'home occupations' and hence is consistent with this direction.</p>   |
| 3.4       | Integrating Land Use and Transport                    | <p>This direction is relevant because the Planning Proposal is advocating a zone permitting urban development.</p> <p>The Planning Proposal will facilitate commercial development at an urban scale within Estella. Recreational facilities are available in close proximity. Route 966 for the bus passes the subject land in Rainbow Drive. Having regard for these circumstances, the Planning Proposal is considered consistent with this direction.</p>                                |
| <b>4.</b> | <b>Hazard &amp; Risk</b>                              |  |

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|--|---|
| <b>5. Regional Planning</b>            |   |
| 5.10 Implementation of Regional Plans  | <p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal complies with this direction because it is consistent with the <i>Riverina Murray Regional Plan 2036</i> (see Attachment 'C').</p>  |
| <b>6. Local Plan Making</b>            |   |
| 6.1 Approval and Referral Requirements | <p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not propose any referral requirements or nominate any development as 'designated development'.</p>  |
| 6.2 Reserving Land for Public Purposes | <p>This direction is relevant because it applies to all Planning Proposals.</p> <p>The Planning Proposal is inconsistent with this direction because, in isolation, it is reducing the area of land intended for future public open space by rezoning the subject land from RE1 to B2. This is proposed without the pre-approval of the Director-General of the Department of Planning.</p> <p>In submitting the Planning Proposal to DPE for a Gateway Determination, the Director-General's delegate is requested to consider the extent of the inconsistency as being of "<i>minor significance</i>" as the loss of RE1 zoned land is only 2,500m<sup>2</sup>. This loss is almost inconsequential having regard for the large area of land to be dedicated for public open space in the future within Lot 6013 and further to the south. The purpose of changing this small area of land to the B2 zone is to provide a site that is viable for a local centre commercial development.</p> <p>Council is currently reviewing the provision of this future public open space and preparing a separate Planning Proposal to facilitate that as part of a zoning swap with the land owner.</p> |
| <b>7. Metropolitan Planning</b>        |   |

## Attachment 'C'

Consistency with the  
Riverina-Murray Regional Plan 2036

| Goal, Direction & Action Title   | Applicable to the Planning Proposal  | Consistency   |
|--|--|---|
| <b>Goal 1 – A growing &amp; diverse economy</b>                                  |  |   |
| Direction 1 – Protect the region's diverse and productive agricultural land.     | Not applicable as the proposal does not relate to agricultural land.                         | N/A   |
| Direction 2 – Promote and grow the agribusiness sector.                          | Not applicable, as the proposal does not relate to agribusiness.                             | N/A   |
| Direction 3 – Expand advanced and value-added manufacturing.                     | Not applicable, as the proposal does not relate to value-added manufacturing.                | N/A   |
| Direction 4 – Promote business activities in industrial and commercial areas.    | Relevant because the proposal promotes use of a commercial zone.                             | The proposal is consistent with this Direction as its purpose is to facilitate a future local centre on a land parcel comprised of the existing and proposed B2 zoned land. |
| Direction 5 – Support the growth of the health and aged care sectors.            | Not applicable, as the proposal does not relate to the health and aged care sectors.         | N/A   |
| Direction 6 – Promote the expansion of education and training opportunities.     | Not applicable, as the proposal does not relate to education or training.                    | N/A   |
| Direction 7 – Promote tourism opportunities.                                     | Not applicable, as the proposal does not relate to tourism.                                  | N/A   |
| Direction 8 – Enhance the economic self-determination of Aboriginal communities. | Not applicable, as the proposal does not relate to the management of Aboriginal communities. | N/A   |
| Direction 9 – Support the forestry industry.                                     | Not applicable, as the proposal does not relate to forestry.                                 | N/A   |

|  |  |     |
|--|--|-----|
| Direction 10 – Sustainably manage water resources for economic opportunities.                      | Not applicable as the proposal does not relate to water resources.                             | N/A |
| Direction 11 – Promote the diversification of energy supplies through renewable energy generation. | Not applicable as the proposal does not relate to energy supplies.                             | N/A |
| Direction 12 – Sustainably manage mineral resources.   | Not applicable, as the subject land is not known to contain any significant mineral resources. | N/A |
| <b>Goal 2 – A healthy environment with pristine waterways</b>                                      |  |     |
| Direction 13 – Manage and conserve water resources for the environment.                            | Not applicable, as the subject land is not known to contain any water resources.               | N/A |
| Direction 14 – Manage land uses along key river corridors.   | Not applicable as the subject land is not located within a river corridor.                     | N/A |
| Direction 15 – Protect and manage the region's many environmental assets.                          | Not applicable as the subject land has no environmental assets.                                | N/A |
| Direction 16 – Increase resilience to natural hazards and climate change.                          | Not applicable as the proposal will have no impact on natural hazards or climate change.       | N/A |
| <b>Goal 3 – Efficient transport &amp; infrastructure networks</b>                                  |  |     |
| Direction 17 – Transform the region into the eastern seaboard's freight and logistics hub.         | Not relevant, as the proposal does not relate to industry or freight.                          | N/A |
| Direction 18 – Enhance road and rail freight links.  | Not relevant, as the proposal does not relate to freight.                                      | N/A |

|   |   |  |
|---|---|--|
| Direction 19 – Support and protect ongoing access to air travel.                            | Not relevant, as the proposal will not affect air travel.   | N/A  |
| Direction 20 – Identify and protect future transport corridors.                             | Not relevant as the proposal is not near any current or future transport corridors.               | N/A  |
| Direction 21 – Align and protect utility infrastructure investment.                         | Yes, as the development resulting from the proposal will require infrastructure.                  | The existing infrastructure at Estella has the capacity to accommodate the proposed commercial development on the existing and proposed B2 zoned land.                       |
| <b>Goal 4 – Strong, connected &amp; healthy communities</b>                                 |   |  |
| Direction 22 – Promote the growth of regional cities and local centres.                     | Yes, as the proposal affects Estella and Wagga Wagga.   | The Planning Proposal will support and promote the growth of Estella and Wagga Wagga in general by increasing the supply and choice of daily and weekly shopping facilities. |
| Direction 23 – Build resilience in towns and villages.                                      | Not applicable as Estella is part of Wagga Wagga as a regional centre and is not town or village. | N/A  |
| Direction 24 – Create a connected and competitive environment for cross-border communities. | Not applicable, as the proposal is not on a border.   | N/A  |
| Direction 25 – Build housing capacity to meet demand.                                       | Not applicable as the proposal is advocating a business zone.                                     | N/A  |
| Direction 26 – Provide greater housing choice.  | Not applicable as the proposal is advocating a business zone.                                     | N/A  |
| Direction 27 – Manage rural residential development.  | Not applicable, as the proposal does not relate to rural residential development.                 | N/A  |
| Direction 28 – Deliver healthy built environments and improved urban design.                | Not applicable as the rezoning in itself does not influence urban design.                         | N/A  |
| Direction 29 – Protect the region's   | Not applicable as the proposal does involve development. A search of                              | N/A  |

Aboriginal and historic heritage.

AHIMS (see Figure 6) does not reveal any registered items of Aboriginal heritage.

