

Wagga Wagga City Council

Planning Proposal

Amendment to the Wagga Wagga Local Environmental Plan 2010

LEP20/0008 – Artisan Food and Drink Industries

- Inclusion of artisan food and drink industries in certain rural and commercial zones;

Date of Planning Proposal:

9 February 2021

Updated 13 May 2021

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ADDENDUM

Council is in receipt of a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 by including artisan food and drink industries as an additional permitted use within Schedule 1 of the LEP as it relates to 611 Sturt Highway, Borambola. The application is provided in Appendix 1.

Following a review of the proposal and the strategic merit and wider economic and tourism benefits that would result from such activities, this addendum has been prepared that seeks to include artisan food and drink industries as a permitted land use within certain rural and commercial zones across Wagga Wagga.

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

The items included in the Planning Proposal have been supported by Council. A copy of the report and minutes is provided with the planning proposal.

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 1 – OBJECTIVES OR INTENDED OUTCOMES

The planning proposal seeks to include artisan food and drink industries as a permitted land use within certain rural and commercial zones.

PART 2 – EXPLANATION OF THE PROVISIONS

The proposed objectives and intended outcomes will be achieved by:

Including *artisan food and drink industries* as development permitted with consent within item 3 of the following rural and commercial zones:

- RU1 Primary Production Zone.
- RU2 Rural Landscape Zone.
- RU4 Primary Production Small Lots Zone.
- B3 Commercial Core Zone.
- B4 Mixed Use Zone.

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

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

No, the planning proposal is not the result of any strategic study or report.

The proposal is the result of a recent site specific planning proposal (LEP20/0008) that was submitted to Council seeking inclusion of artisan food and drink industries as an additional permitted use within Schedule 1 of the LEP as it relates to 611 Sturt Highway, Borambola.

Following a review of the proposal and the strategic merit and wider economic and tourism benefits that would result from such activities, this addendum has been prepared that seeks



to include artisan food and drink industries as a permitted land use within certain rural and commercial zones across Wagga Wagga outlined in Part 2 above.

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

The proposed changes are considered the best way to achieve the intended outcome and will have a far more wide-reaching benefit rather than allowing individual site by site amendments.

The proposal has been prepared as a result of recent changes to the Standard Instrument Local Environmental Plan by the NSW Department of Planning, Industry and Environment, which introduced a new definition of ‘artisan food and drink industries’ as outlined below:

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

- (a) a retail area for the sale of the products,*
- (b) a restaurant or cafe,*
- (c) facilities for holding tastings, tours or workshops.*

Note—

See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

Artisan food and drink industries are a type of light industry—see the definition of that term in this Dictionary.

See Planning Circular PS 18-008 for further details.

Consequently, artisan food and drink industries are currently prohibited within a range of land use zones across Wagga Wagga. The use is currently permitted with consent in the following zones:

- RU5 Village
- B6 Enterprise Corridor
- IN1 General Industrial
- IN2 Light Industrial

The use is permitted with consent in these zones either under the higher order definition of ‘light industry’ or as ‘any other development not specified in item 2 or 4’ being development that is permitted without consent or is prohibited.

The desire to increase the range of zones where artisan food and drink industries are permitted is aligned with the general need to promote tourism, leisure and alternative consumer experiences for visitors and residents of the Wagga Wagga region.

By allowing artisan food and drink industries within certain rural and commercial zones of Wagga Wagga will support economic development, business investment and tourism.

Artisan food and drink industry will remain prohibited in the following zones:

- RU6 Transition

The RU6 Transition zone is located across the local government area in locations that are restricted by either environmental constraints or have a lower amenity being located close to industrial precincts or sewerage treatment plants.



Retaining a prohibition in these areas will ensure these uses do not occur in these areas.

- **B1 Neighbourhood Centre**

The neighbourhood centre zone is located within various suburbs across the city with the objective to provide small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. An artisan food and drink industry would be inconsistent with this objective as this type of use would likely attract patronage from a broader catchment than the surrounding neighbourhood.

- **B2 Local Centre**

The local centre zone is in various locations within various suburbs across the city. Whilst an artisan food and drink premise may be consistent with the objectives of the zone, permitting this type of use may be inconsistent with the local provision 7.9 that aims to protect the primacy of the B3 Commercial Core.

The local centres are aimed to serve the local area and an artisan food and drink industry will likely attract patronage from a broader catchment.

- **B5 Business Development**

The existing B5 Business Development area of Wagga Wagga is located along Dobney Avenue and Pearson Street. This precinct has established predominantly as a vehicle sale and hire and landscaping and building supplies precinct. An artisan food and drink industry would be inconsistent with the precinct character.

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The planning proposal is consistent with the Riverina Murray Regional Plan 2036 as outlined in Table 1 below.

Table 1: Consistency with Riverina Murray Regional Plan 2036

Direction	Compliance
Protect the region's diverse and productive agricultural land	<p>The site is located within the RU1 Primary Production zone and the planning proposal seeks to include artisan food and drink industries as permitted with consent within certain rural zones.</p> <p>The proposal is consistent with this direction as the inclusion of artisan food and drink industries will support the agricultural base of Wagga Wagga and will increase the range of supportive or complementary activities that are permitted in these zones.</p>
Promote the growth of the agribusiness sector	<p>This direction outlines the importance of agribusiness as it sustains the local economies of many communities in the region. It comprises businesses that support agricultural production and can include food, beverage and other product outlets.</p>



	The proposal is consistent with this direction and specifically achieves the outcomes of Action 2.1, which seeks to 'encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions'.
Promote business activities in industrial and commercial areas.	<p>The amended planning proposal seeks to permit artisan food and drink industries within the B3 Commercial Core.</p> <p>The proposal is consistent with this direction as it will support existing businesses by allowing for the establishment of new and emerging businesses such as boutique retailing outlets that manufacture goods on-site. This in turn will encourage economic development, jobs creation and tourism.</p>
Promote tourism opportunities	<p>The proposal is consistent with this direction as it will encourage and support tourism industries by promoting a wider range of commercial and light industrial uses across the city.</p> <p>The proposal will strengthen the role of existing commercial centres, support the agricultural base and will achieve economic development and growth.</p>
Promote the growth of regional cities and local towns	The proposal is consistent with this direction as it will increase the range and type of commercial and light industrial uses that are permitted across the city.

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

The planning proposal is consistent with the following local Council strategic plans and policies outlined in Table 2 below:

Table 2: Consistency with local Council strategic plans and policies

Wagga Wagga Community Strategic Plan	
Direction	Compliance
We attract and support local businesses and industry	The proposal is consistent with this outcome/direction as it will support existing and proposed businesses by increasing the range and type of commercial and light industrial uses permitted within Wagga Wagga.
We foster entrepreneurs and start-ups	The proposal is consistent with this outcome as it caters for a growing demand and trend for boutique industries and service related businesses such as cellar doors, microbreweries etc.
We are a tourist destination	The proposal is consistent with this outcome as it will support tourism and economic development by promoting and encouraging artisan food and drink premises within a wider range of zones across the city.



Wagga Wagga Spatial Plan 2013 - 2043	
Direction	Compliance
We plan for a growing community	The proposal is consistent with this objective as it will increase the range and type of light industrial and commercial land uses permitted within Wagga Wagga.
There is growing business investment in our community	The proposal is consistent with this objective as it will support new and emerging businesses through more flexible planning controls.
Draft Wagga Wagga Strategic Planning Statement	
Direction	Compliance
Engage with the business community to ensure that our LEP, DCP and approvals systems are enabling the right types of land uses in the right locations to support investment, business and employment growth	<p>The proposal has been prepared in response to changing and emerging business trends, which will support a wider range of new businesses and industries.</p> <p>The planning proposal will be publicly exhibited and comments will be sought from the general public and business community.</p>
Provide for more diverse industries, including renewable energy, emerging and creative industries and the development of new small business ventures.	The proposal directly responds to this direction as it provides for a diverse and emerging range of new industries including small business ventures.

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

The planning proposal is generally consistent with the following relevant State Environmental Planning Policies (SEPPs) outlined in Table 3 below:

Table 3: Consistency with State Environmental Planning Policies (SEPPs)

Policy	Compliance
State Environmental Planning Policy No. 33 – Hazardous and Offensive Industry	The planning proposal is consistent with this SEPP as artisan food and drink industries are a light industry and would therefore not likely be considered a hazardous or offensive industry within the meaning of this SEPP.
State Environmental Planning Policy No. 55 – Remediation of Land	<p>SEPP No. 55 aims to identify lands where potential contamination requires that land to be remediated prior to being developed, used, or zoned in a certain way.</p> <p>Prior to any use or development occurring subject to a development application, land will need to be assessed against clause 7 of the SEPP. The Planning Proposal is considered to be consistent with and not in contravention of this SEPP.</p>



Is the planning proposal consistent with applicable Ministerial Directions (s. 9.1 directions)?

The planning proposal is generally consistent with the following relevant Section 9.1 Ministerial Directions outlined in Table 4 below:

Table 4: Consistency with Section 9.1 Ministerial Directions

Direction	Compliance
1.1 Business & Industrial Zones	The planning proposal is consistent with this direction as it does not reduce the amount of business or industrial zoned land and will support and promote employment growth within designated zones industrial and commercial zones.
1.2 Rural Zones	The planning proposal is consistent with this direction as it does not reduce the amount of rural zoned land. Similarly, the proposal will not increase the permissible density of land within a rural zone and will support the agricultural supply chain (where necessary) through ancillary and complementary land use activities.
1.5 Rural Lands	The planning proposal is consistent with this direction for the reasons outlined in response to Direction 1.2.
2.3 Heritage Conservation	The planning proposal is consistent with this direction. Whilst the planning proposal seeks to make permissible with consent 'artisan food and drink industry' in zones that contain heritage items and precincts, the provisions for heritage conservation and protection will still apply.
2.6 Contaminated Lands	The planning proposal is consistent with this direction. The planning proposal is intending to make permissible with consent 'artisan food and drink industry' in several zones. These zoned areas may include properties that are likely to be land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out. The planning proposal does not remove the need for contamination and remediation to be considered as part of a development application.
3.1 Residential Zones	The planning proposal is consistent with this direction as it will not affect land within an existing or proposed residential zone or any other zone in which significant residential development is permitted or proposed to be permitted.
4.3 Flood Prone Land	The planning proposal is consistent with this direction. Whilst the proposal may permit with consent 'artisan food and drink industry' on land that may be flood prone, it does not remove the need for flooding to be considered and addressed as part of a development application for that use.
4.4 Planning for Bushfire Protection	The planning proposal is consistent with this direction. Whilst the proposal may permit with consent 'artisan food and drink industry' on land that may be bushfire prone, it does not remove the need for bushfire to be considered and addressed as part of a development application for that use.



5.10 Implementation of Regional Plans	The planning proposal is consistent with the recommendations and actions of the Murray Regional Plan 2036 as outlined earlier in this table.
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Section C – Environmental, social and economic impact

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 are no known impacts on critical habitat or threatened species, populations or ecological communities, or their habitats.

The planning proposal seeks to allow artisan food and drink industries to be established within certain rural and commercial zones and avoids areas of environmental significance, which are zoned Environment Protection.

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

There are no known environmental effects as a result of the planning proposal.

Consideration of individual site-specific conditions will be undertaken as part of any subsequent development application submitted to Council.

How has the planning proposal adequately addressed any social and economic effects?

The proposed amendment will have a generally positive social and economic benefit as it will support business development and growth, particularly small start-ups and primary producers, as well as catering for increasing demands for boutique businesses.

This in turn will create local jobs, support economic development and investment, as well as local tourism opportunities.

Whilst it is acknowledged that some artisan food and drink premises have the potential to generate noise or odours during the manufacturing process, it should be noted that the definition of artisan food and drink industries only applies ‘...to an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash dust, wastewater, water products, grit or oil, otherwise...’

Consequently, the inclusion of artisan food and drink premises within a wider range of rural and commercial zones is not expected to adversely affect the amenity of adjoining landowners and will be subject to future development application/s.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

There are no direct public infrastructure requirements resulting from this planning proposal.

Notwithstanding the above existing commercial zones are equipped with adequate reticulated services and infrastructure including water, sewerage, electricity,



telecommunications, and stormwater drainage), which will be able to cater for any proposed future development.

Where development is proposed within the rural zones, consideration of the infrastructure servicing requirements will be undertaken at the time of submitting a development application.

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 (if necessary) will be sought once the Gateway Determination has been issued.

PART 4 – MAPPING

No changes are proposed to the LEP maps.

PART 5 – COMMUNITY CONSULTATION

The planning proposal will be exhibited in accordance with the requirements of Schedule 1, Clause 4 of the *Environmental Planning & Assessment Act 1979*, the NSW Department of Planning's: *A guide to preparing local environmental plans* and any conditions of the Gateway Determination (to be issued).

Although the planning proposal is minor in nature, it will be beneficial to conduct a 28-day exhibition period to enable the community sufficient time to provide comment.

Written notification of the community consultation will be provided in a local newspaper, Councils' website and on social media.

The written notice will contain:

- A brief description of the objectives or intended outcomes of the Planning Proposal;
- An indication of the zones which will be affected by the proposal;
- Information on where and when the Planning Proposal can be inspected;
- The name and address of Council for the receipt of submissions;
- The closing date for submissions; and
- Whether the Minister has chosen to delegate Plan Making powers to Council.

During the public exhibition period the following documents will be placed on public exhibition:

- The Planning Proposal and this addendum;
- The Gateway determination; and
- Relevant council reports

Whilst affected and adjoining neighbour notification is a general requirement for planning proposal, this proposal has been prepared at the city-wide scale and will affect a significant number of individual landowners. Therefore, an exemption from notifying all affected landowners is sought in this instance.



PART 6 – PROJECT TIMELINE

The anticipated timeline for the project is provided in Table 5 below.

Table 5: Anticipated project timeline

Task	Anticipated timeframe
Anticipated date of Gateway Determination	April 2021
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation	May 2021
Commencement and completion dates for public exhibition.	June – July 2021
Dates for public hearing	N/A
Timeframe for consideration of submissions	August 2021
Timeframe for the consideration of a proposal post exhibition	September 2021
Date of submission to the Department to finalise the LEP	December 2021
Anticipated date RPA will make the plan	February 2021
Anticipated date RPA will forward to the Department for notification	April 2021



Appendix 1: Application to amend Wagga Wagga Local Environmental Plan (LEP20/0008).





City of
Wagga Wagga



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Application to amend Local Environmental Plan & Development Control Plan

Environmental Planning & Assessment Act 1979

Applicant Details

Title Mr ☐ Mrs ☐ Ms ☒ Other

Given Name/s Monette Lisa

Surname O'Leary

Company

ABN 49581811095

Postal Address 611 Sturt Highway, Borambola Postcode 2650

Phone Number Mobile 0423739717 Work

E Mail majo.1997@yahoo.com.au

Signature majo Date 8/9/2020

Office Use Only

LEP No: 20/0008

Date: 11-9-20

CSO: Paige

R: 1509910

Site Details

Address 611 Sturt Highway, Borambola, NSW 2650

Lot No. Section DP / SP

Description of Planning Proposal



LEP Amendment



DCP Amendment

Amend schedule 1. Additional permitted uses of the wagga wagga Environmental Plan 2010 by permitting listing 'artisan food industry as an additional permitted use for 611 Sturt Hwy, Borambola NSW 2650

Pre-Lodgement Meeting

Prior to lodging your application, you need to have a pre-lodgement meeting to ensure that you have sufficient information. Have you phoned Council's Strategic Planners on 1300 292 442 to make an appointment?



Yes



No

If yes, whom did you phone

Crystal Atkinson

Applicant and Landowner Declaration

If you are the applicant, are you:

- ☐ 1. A Wagga Wagga City Councillor?
- ☐ 2. A Wagga Wagga City Council Staff Member?
- ☐ 3. A company where a director of the company is a person referred to at 1 or 2 above?
- ☐ 4. Acting on behalf of a person or company referred to at 1,2, or 3 above?
- ☐ 5. A relative of a person referred to at 1 or 2 above?
- ☐ 6. A company where a director of the company is a relative of a person referred to at 1 or 2 above?
- ☐ 7. Acting on behalf of a person or company referred to at 5 or 6 above?
- ☒ 8. None of the above

If you are the land owner, are you:

- ☐ 1. A Wagga Wagga City Councillor?
- ☐ 2. A Wagga Wagga City Council Staff Member?
- ☐ 3. A company where a director of the company is a person referred to at 1 or 2 above?
- ☐ 4. A relative of a person referred to at 1 or 2 above?
- ☐ 5. A company where a director of the company is a relative of a person referred to at 1 or 2 above?
- ☒ 6. None of the above

Consent of ALL owner(s) of the subject property

I declare that all the information in this application is to the best of my knowledge, true and correct. I also understand pursuant to the Environmental Planning and Assessment legislation that if the information is incomplete the application may be delayed, rejected, or refused without notice. I acknowledge that if the information provided is misleading any approval granted 'may be void'. I agree to the use of the documentation provided in support of this application for advertising and notification purposes.

Name Monette O'Leary

Signature [Signature]

Name John Jelly

Signature [Signature]

Name Noel O'Leary

Signature [Signature]

Notes:

- If there is more than one landowner, every owner must sign
- Company Ownership – A company can provide owners consent with or without a common seal and the application or authorisation letter must be signed by:
 - a) two (2) directors of the company; or
 - b) a director and a company secretary of the company; or
 - c) for a proprietary company that has a sole director who is also the sole company secretary – that director.

Copyright and Privacy

Please be advised that Council may make copies (including electronic copies) of the planning proposal and accompanying documents for the purpose of complying with its obligations under the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 and Council's Notification Policy. In addition, Council may make such further copies as, in its opinion are necessary to facilitate a thorough consideration of the planning proposal. This may include making copies of the advertised plans, supporting documentation on Council's website to be viewed or printed out by members of the public. The Applicant is responsible for obtaining all copyright licences necessary from the copyright owners for this purpose.

Office Use Only

The fees and charges payable are in accordance with Council's Revenue and Pricing Policy at the time of lodgement.

- | | |
|---|---|
| <input type="checkbox"/> Minor LEP amendment (Low Complexity) | <input type="checkbox"/> Minor DCP Amendment to (Existing chapter / control) (Low Complexity) |
| <input type="checkbox"/> Medium LEP Amendment (Medium Complexity) | <input type="checkbox"/> Major DCP Amendment (New chapter / new controls) |
| <input type="checkbox"/> Major LEP Amendment (High Complexity) | |

Receipt No: Amount: \$ Cheque Requisite: ☐ Yes ☐ No

Planning Proposal

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

The intended outcome of the planning proposal is to amend the Wagga Wagga Local Environment Plan 2010 in order to add an additional permitted land use at 611 Sturt Highway Borambola. Currently this property is zoned RU1, primary production. The amendment would allow us to have an 'artisan food and drink industry' as a permitted use on our property, which in turn would enable us to build a café on site.

PART 2 - EXPLANATION OF THE PROVISIONS

The proposed outcome will be achieved by amending schedule 1. Additional permitted uses of the Wagga Wagga Environmental Plan 2010 by listing 'artisan food industry as an additional permitted use for 611 Sturt Highway, Wagga Wagga. This will allow us to move forward with our business ideas, and allow plasticity operating our business within the agritourism sector.

Our long-term goal for Borambola Berry Patch is to be a place of education and relaxation for our visitors. There will be a variety of berries grown such as blueberries, brambles, raspberries, and strawberries. Visitors will have an opportunity to pick their own berries, or buy them direct from the café. There will be a honey trail, which will include educational plaques and various flo-hives to enable the public to observe a working beehive. Lastly, we will have a small free-range egg farm. We will use chicken caravans as well as laying sheds. We would like to provide educational tours to explain the differences between free range, caged, & pasteurized egg farming etc.

The café will sell our products from berries and honey to our pasteurized eggs. We will also sell a variety of other products that have been manufactured using our produce such as berry ice cream & smoothies, bacon and egg rolls and jams. Coffee & tea as well as light lunches using farm produce will also be available.

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

The planning proposal is not the result of a recent study or report. Other options were considered such as the potential to rezone our land to achieve our business goals in Agri- tourism, and to reach our intended outcomes but after liaising with a senior strategic planner at Wagga Wagga City Council, changes to schedule 1 to include an additional permitted land use for 611 Sturt Highway, Borambola was the best way to achieve the outcomes in the short term with Council considering a broader permissibility of 'artisan food and drink premises' in the long term.

Section B – Relationship to strategic planning framework

3A) The planning proposal supports the following directions of the Riverina Murray Regional Plan 2036.

Direction 1: Protect the region's diverse and productive agricultural land

Action 2.1. Protect important agricultural land identified in the regional agricultural development strategy from land use conflict and fragmentation, and manage the interface between important agricultural lands and other land users.

Currently the land is being used to raise livestock for meat production. This will be maintained and complimented with 20 acres of strawberries, brambles, blueberries and raspberries under cultivation, as well as a small egg farm, and beehives. The land will continue to be used for agricultural purposes, thus protecting and supporting important agricultural land. The addition of a café will have a positive impact as visitors can buy fresh produce straight from the farm café. Consumers will have a greater understanding of where food comes from with a paddock to plate experience.

processes involved in producing berries, honey and eggs. Tourists can experience a real connection with the concept of farm to plate.

Our farm is situated in an ideal position directly on the Sturt Highway, providing ease of access in a straightforward location for tourists visiting our region. The berry farm will complement the already established Borambola Winery, and has the potential to attract more visitors to our region and especially the Borambola area.

Direction 14: Manage land uses along key river corridors

Action 14.3. Consider and assess the potential impacts of new development on biodiversity along river corridors, including the Murray and Murrumbidgee Rivers, and manage offsets

The property of 611 Sturt Highway borders the Tarcutta Creek. There will be no direct impact on this creek.

3B) The land at 611 Sturt Highway has site specific merit. It is zoned RU1 and is currently used for livestock. Because of the size of this property approximately 20 hectares we are unable to derive an income to support ourselves from livestock farming. Our proposed agritourism business will continue to use the land for agricultural purposes, but we would like to take this one step further and connect agriculture with tourism. The café will not only sell products manufactured on the farm but will give people a reason to stop and have a relaxing coffee on our berry farm in a beautiful valley.

4. The planning proposal is consistent with the following objectives and outcomes in the Community Strategic Plan 2040 – Wagga View.

Objective: We are a regional Capital

Outcome: We attract and support local businesses and industry

Strategy: Encourage businesses to use local produce

The production of berries, eggs and honey on our farm will enable local businesses to buy our products directly from the farm. Cafes, restaurants and food outlets in Wagga Wagga can buy and utilize these

products in their menus. Supermarkets will also have the option to buy from the farm and sell these products in their stores.

The Planning Proposal is consistent with the following objectives of Council's Spatial Plan 2013 – 2043

1) We Have Opportunities And Places For Connection – We use sports, recreation, arts and leisure as ways of staying connected.

Provide a range of recreational activities to meet the needs of the Wagga Wagga community and visitors.

Borambola Berry Patch will be a supportive environment and provide leisure activities for all those who visit, from picking berries, taking a walk through our egg farming paddocks and sheds, to strolling along the honey trail. Or you can sit and enjoy the scenic views while having an ice-cream.

2) Ensuring rural communities remain strong and viable, and continue to make their invaluable contribution to the character of our area.

The planning proposal will support other local producers eg selling their products in our farm café. Further down the track there is potential to team up with other local businesses such as Borambola Winery and Borambola Sports and Recreation Center to promote the Borambola area as must-see destination when visiting Wagga Wagga.

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

There are no applicable State Environmental Planning Policies

6) Is the planning proposal consistent with applicable Ministerial Directions (s9.1 Directions)?

The following ministerial directions are applicable to the planning proposal:

Direction 1.2 Rural Zones

The objective of this direction is to protect the agricultural production value of rural lands.

The proposal is consistent with this direction as the land will continue to be used for agricultural purposes. There will be an onsite café which we will allow the sale of our products produced and manufactured on the land. The diversifying of our agribusiness from livestock to berries, eggs and honey will add value to agricultural production on our farm.

Direction 1.5 Rural Lands

The objectives of this direction are to:

- a) Protect the agricultural production value of rural land.
- b) Facilitate the orderly and economic use and development of rural lands for rural and related purposes.
- c) Assist in the proper management, development and protection of rural lands to promote the social, economic, and environmental welfare of the State.
- d) Minimize the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses.
- e) Encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land.
- f) Support the delivery of the actions outlined in the NSW Right to Farm Policy.

The proposal is consistent with this direction as it will continue to undertake agricultural production on the land and allow rural produce consumption opportunities.

Direction 4.3 Flood Prone Land

The objectives of this direction are:

- a) Ensure the flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the flood plain development manual 2005.

Direction 2: Promote and grow the agribusiness sector

Action 2.1. Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions.

We will be diversifying our current business, at the moment as mentioned previously, our primary source of income from this land is through livestock. We will be branching into other areas of agriculture via berry farming, beekeeping, and pasteurized egg farming. Will be opening our farm to the public to experience a farm to plate adventure. Visitors will gain insight into the various forms of agriculture our farm has to offer through interaction and education of berry production, bee keeping & egg farming.

Direction 3: Expand advance and value-added manufacturing

Action 3.1. Promote investment in advanced and value-added manufacturing by removing restrictive land use zonings and outdated land use definitions in local plans.

The berries we grow will be available for direct purchase from the farm café. Not only will there be fresh berries available, but from these fruits various products will be manufactured and available for purchase such as different berry jams, berry coulee, & berry sauces. There will be honey and eggs for sale collected directly from our beehives and hens.

In the café will be using our produce in our menu, for example bacon & egg rolls, berry ice cream, crepes with berry sauce which can be complimented with a honey berry smoothie.

Direction 7: Promote tourism opportunities

Action 7.7. Enable opportunities for tourism development and associated land uses in local plans.

When visitors come to our region, they all eat and drink, it's one of the highest expenditure items, people are motivated by food and drink. We want to create a tourism related experience that connects agricultural products, people and places with visitors to our farm. By providing authentic experiences that are real & providing these experiences on the farm visitors can gain a knowledge & hands on experience of the

- b) To ensure that the provisions of the LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The property has a small portion of identified flooding on the eastern boundary. The proposed artisan food and drink premise land use can be done outside of this area.

Direction 5.10 Implementation of Regional Plans

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

The planning proposal is consistent with the regional plan by protecting agricultural land and allowing diversification.

- 7) 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 are no known critical habitat or threatened species, populations or ecological communities, or their habitats that will be adversely affected as a result of the proposal.

- 8) Are there any other environmental effects as a result of the planning proposal and how are they proposed to be managed?

The land along the Tarcutta Creek, on the eastern boundary of our property has experienced occasional flooding, with the most recent major flooding occurred in 2012. The majority of the property is protected by a land incline from the creek to our home, which would form a significant barrier from the creek to the café. The café will be situated in a location that is safe from flooding, and if flooding did occur in the lower paddocks the farm would close to visitors to ensure safety.

Our berry plantation, beehives and chickens can be situated away from where flooding occurs.

showcasing local produce and experience what our area has to offer.

- 5) Local Produce – Businesses & visitors will have the opportunity to buy local produce for use in their food outlets. Buying locally means money goes back into our local economy'

The success of our farming enterprise is most important to us, but why not utilise the magic space we have and encourage others to come share with us, that's what county hospitality is all about.

9) How has the planning proposal addressed any social or economic effects

By offering tourism and hospitality experiences on our farm, our agritourism business will not only benefit us personally as business owners, but will also have a positive impact on our community and region. There are many positive economic and social impacts that may transpire as a result of expanding our farming practices and branching out into different areas of agriculture as mentioned previously, berry production, egg farming & beekeeping. These impacts are listed below.

- 1) Education – We are hoping to run group style tours on the farm specialising in education to both teach and learn. We hope this experience will raise awareness of where foods come from. Visitors will have an opportunity to see the processes involved in farming berries. They will learn about egg farming, the different types of egg farms and how that relates to the price of eggs. People will be able to walk around the hen paddocks. We will have a honey trail walk with educational plaques placed along the walk explaining the process of beekeeping and honey extraction. Families will also have opportunities to assist with feeding cows, and bottle-feeding poddy lambs.
- 2) Social Connections - The planning proposal will allow our family farm to maintain and improve upon our farm lifestyles, and plan for farm succession. It will support family farm retention with our plans to pass the farm to the next generation, thus creating working opportunities for younger generations and retains rural land in family ownership. It will also provide a place for our locals and tourists to go with family and friends. To spend a day together connecting through picking berries, walking the honey trail or hen paddocks, or just relaxing together in the beauty of a rural area underneath a gum tree, while listening to the creek flow.
- 3) Employment – Our Agritourism Farm will create employment opportunities for our local area through our café and agricultural based jobs. As the business grows so too will job opportunities within our business.
- 4) Tourism – This is not only an opportunity for us, but also an opportunity for our local community. We hope to attract more visitors to our area from all over Australia. And in turn we hope that these visitors find accommodation in our local areas, eat in our local pubs & cafes and visit some of the other businesses

Wagga Wagga City Council

Quote Estimate

Quote No: 7970

Date Issued: 09/09/2020

Expiry Date: 30/06/2021

Applicant: M Oleary
611 Sturt Highway
BORAMBOLA NSW 2650

Property: **Stage/Decision:** Issued

Details: 611 Sturt Highway - Berry Farm (Monette O'Leary) **Status:** Current

Group: Rezoning Applications

Category: LEP Amendment Proposal

Estimated Cost:

Description	Quantity	Amount	GST	Total
Medium LEP Amendment - Lodgement of Application	1.00	\$8,000.00		\$8,000.00
Medium LEP Amendment - Preparation of LEP	1.00	\$8,000.00		\$8,000.00
Sub Total:		\$16,000.00		\$16,000.00
Total:		\$16,000.00		\$16,000.00

DISCLAIMER

The attached quote is provided in good faith on the basis of the information that you have provided. Assessment of your application may reveal that further approvals, permits or licences are required from Council, Riverina Water and/or a state agency or department, for which additional fees will also be applicable. If your application is approved, your notice of determination may also contain conditions of consent that require additional fees be paid (such as developer contributions, levies and bonds). Please refer to the Development Application Preparation and Lodgement Guide or contact Council's Development Services on 1300 292 442 for further information.