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Planning Proposal

Proposed amendment to Wagga Wagga Local Environmental Plan
2010 Land Zoning and Minimum Lot Size Maps.

Grouping Planning Proposal

Parcel A –

20 Mangrove Crescent, Forest Hill, Lot 2 Paperbark Drive, Part 146
Inglewood Road, Part 50 Inglewood Road, Forest Hill

Parcel B –

Part 50 Inglewood Road, Part 146 Inglewood Road, Forest Hill

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Appendix 1	– Consistency with applicable State Environmental Planning Policies
Appendix 2	– Compliance with Section 9.1 Directions
Appendix 3	- Indicative Concept Plan Report (prepared by DFP Planning);
Appendix 4	- Survey Plan (prepared by TJ Hinchcliffe and Assoc);
Appendix 5	- Bushfire Assessment (prepared by NGH)
Appendix 6	- Preliminary Aboriginal Heritage Assessment (NGH)

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Appendix 7 - Initial Biodiversity Assessment (prepared by NGH)

Appendix 8 - Detailed Site Investigation (prepared by EMM)

Appendix 9 - Concept Stormwater Management Plan (prepared by Civil Cert)

Appendix 10 - Transport Assessment (prepared by Arc Traffic and Transport)

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Abbreviations

AHD	Australian Height Datum
AHIP	Aboriginal Heritage Impact Permit
AS	Australian Standard
ASS	acid sulfate soils
BC Act	Biodiversity Conservation Act 2016
BTA	bushfire threat assessment
Council	Wagga Wagga City Council
DA	development application
DCP	development control plan
DFP	DFP Planning Pty Limited
DFCS	NSW Department of Family and Community Services
DGRs	Director General's Requirements
DoPI	former NSW Department of Planning and Infrastructure
DPIE	NSW Department of Planning, Industry and Environment
DVT	daily vehicle trip
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	environmental planning instrument
ESCP	erosion and sedimentation control plan
ESD	ecologically sustainable development
FPL	flood planning level
FSR	floor space ratio
HIS	heritage impact statement
kph	kilometres per hour
LEP	local environmental plan
LGA	local government area
LLP	Local Planning Panel
NOW	NSW Office of Water
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPWS	NSW National Parks and Wildlife Service
OEH	NSW Office of Environment and Heritage
PAD	potential archaeological deposit
PVT	peak hour vehicle trip
RFS	NSW Rural Fire Service
RF Act	<i>Rural Fires Act 1997</i>
RMS	NSW Roads and Maritime Services
SC	Subdivision Certificate
SCI	site contamination investigation
SEE	Statement of Environmental Effects
SEPP	state environmental planning policy
TSC Act	<i>Threatened Species Conservation Act 1995</i>
vtph	vehicle trips per hour
WM Act	<i>Water Management Act 2000</i>
WSUD	water sensitive urban design

1 Introduction

1.1 Commission

DFP has been commissioned by Wakefield Ashurst Developments P/L to prepare a Planning Proposal in respect of the land listed below.

As recommended by Wagga Wagga City Council the land to which the Planning Proposal relates has been split in to two parcels referred to as Parcel A (land north of the decommissioned rail line) and Parcel B (land south of the decommissioned rail line).

Parcel A – (shown in beige on **Figure 1**)

Part 50 Inglewood Road, part 146 Inglewood Road, Lot 2 Paperbark Drive and 20 Mangrove Crescent, Forest Hill.

Parcel B (shown in yellow on **Figure 1**)

Part 50 Inglewood Road and part 146 Inglewood Road.

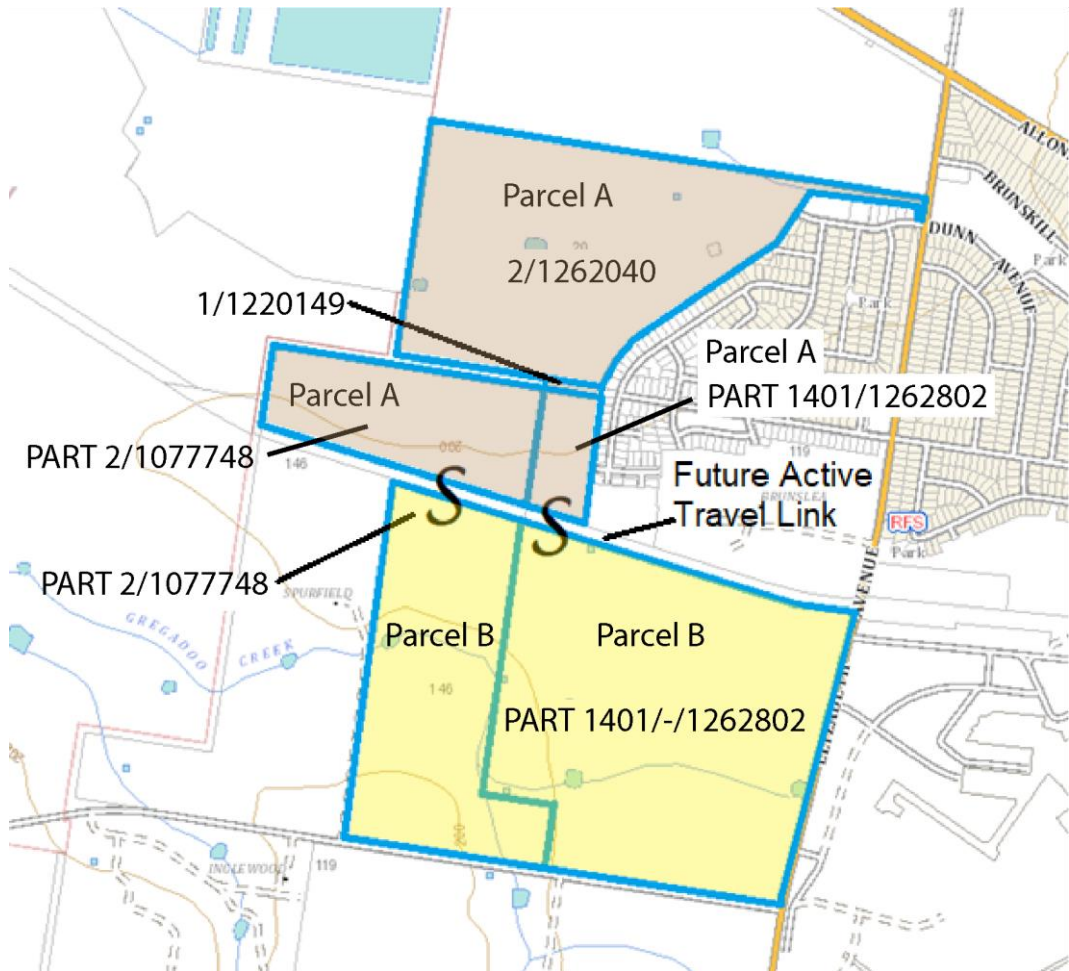


Figure 1 Lot numbers and parcels

The Planning Proposal seeks to amend Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010) to modify the land zoning and minimum lot size map, over the site.

This will result in the amendment of the WWLEP 2010 Land zoning Map from the current RU1 Primary Production to a mix of:

Parcel A

- RU1 Primary Production;
- R1 General Residential; and

1 Introduction

- RE1 Public Recreation.

Parcel B

- R5 Large Lot Residential;
- RE1 Public Recreation; and
- IN1 General Industrial.

Amendments to the land zoning and minimum lot size map, are shown in **Section 6.8** of this report and the supporting Concept Plan Report to this Planning Proposal.

The Planning Proposal recognises the continued growth and significant transformation of the Forest Hill area, towards a residential area with recreational and industrial facilities.

1.2 Purpose of this Statement

The purpose of this report is to provide Council and the Department of Planning, Industry and Environment (DPIE) with the necessary information to assess the Planning Proposal and for the Minister to make a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This Planning Proposal has been prepared in accordance with section 3.33 of the Environmental Planning & Assessment Act 1979 (EP&A Act), and 'A Guide to Preparing Planning Proposals' prepared by the NSW DPIE.

1.3 Supporting Documentation

This Planning Proposal has been prepared by DFP based on the information listed below and a site inspection undertaken on 11 February 2021.

- Survey Plan (prepared by TJ Hinchcliffe and Assoc);
- Indicative Concept Plan Report (*prepared by DFP Planning*);
- Bushfire Assessment (*prepared by NGH*)
- Preliminary Aboriginal Heritage Assessment (*NGH*)
- Initial Biodiversity Assessment (*prepared by NGH*)
- Detailed Site Investigation (*prepared by EMM*)
- Concept Stormwater Management Plan (*prepared by Civil Cert*)
- Transport Assessment (*prepared by Arc Traffic and Transport*)
- Existing Infrastructure Report (*prepared by Lance Ryan Consulting Engineers*)

1.4 Summary of Conclusions and Recommendations

This report concludes that the proposal to rezone the land for urban development:

- is consistent with the Riverina Murray Regional Plan 2036;
- is consistent with the Wagga Wagga Community Strategic Plan 2040;
- is consistent with the Wagga Wagga Local Strategic Planning Statement, and
- is generally not inconsistent with relevant SEPPs and section 9.1 Directions.

Furthermore, the Concept Plan for the site demonstrates that environmental factors can be adequately addressed and subject to more detailed assessment at the DA stage.

Accordingly, we recommend that Council endorse this Planning Proposal and forward it to the Minister for Gateway Approval.

2 Background

2.1 Consultation Meetings

The project team has consulted with Council regarding the proposed rezoning, including discussion regarding the Local Strategic Planning Statement and the proposed revised airport masterplan. The following was advised by Council:

- The airport masterplan is still in preparation stage and revised ANEF contours are unlikely to be received prior to submission of the Planning Proposal;
- The proposed R1 over the entire site is unlikely to be supported;
- Lot sizes should be increased, to the south of the site, closest to the airport and rural lands;
- Waterways and riparian to be investigated and retained where possible;
- Proposed industrial land should be located nearest the airport for orderly development;
- Access points to and from the development should not restrict access to other parts of the development;
- BDAR will be required for submission as Plant Community Type (PTC) 277 is located within the site;
- The site was not included in the draft Local Strategic Planning Statement; however, a clause has been included in the LSPS to allow for areas outside of the nominated growth areas to provide option for future development on non-nominated sites.

A further meeting was held with Council on 3rd February 2022. Discussions at this meeting related to:

- Status and timing of Airport Study and ANEF Contours.
- Preparing one (1) Planning Proposal split into two parcels (north and south of the decommissioned rail line).
- Possibility of site-specific controls being required if new ANEF contours impact southern portion of the site.

3 Site Context

3.1 Site Description

The overall site consists of 4 individual lots and forms an irregular shape. The site has an area of approximately 169.33 ha. The site is bound by Inglewood Road to the south, Elizabeth Avenue and residential properties to the east and rural land to the north and east. Decommissioned rail lines transect part of the northern part of the site from the southern part of the site.

The site is located in the Brunslea Park Estate in the suburb of Forest Hill, Wagga Wagga (see **Figure 2**) approximately 9km south-west of Wagga Wagga Town Centre.

Current vehicular access is via Inglewood Road, Mangrove Crescent, Lacebark Drive and Elizabeth Avenue.

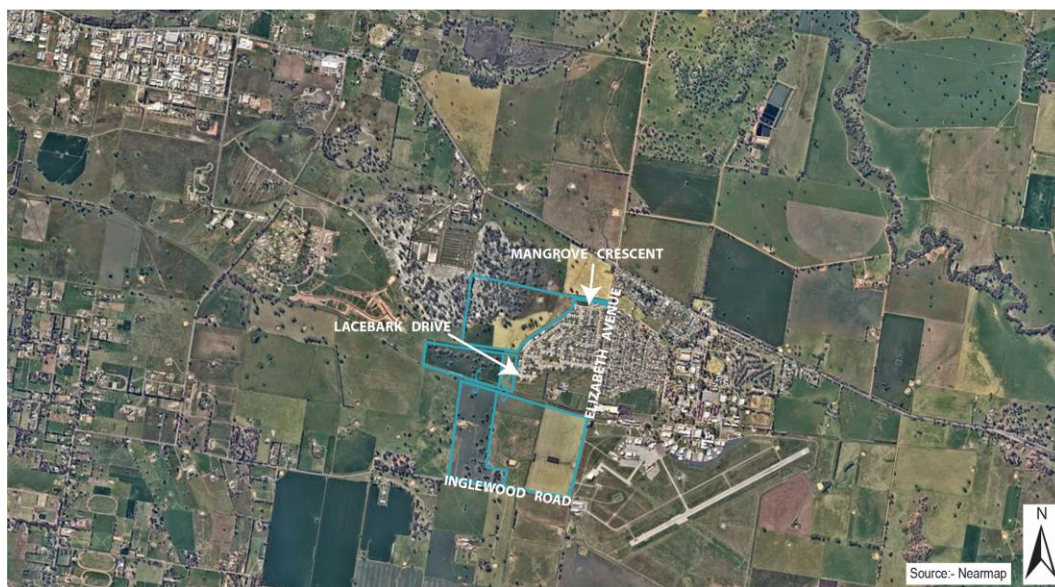


Figure 2 Site Location

The Planning Proposal consists of Parcel A and Parcel B (**Figure 3**), being:

Parcel A – Land north of the decommissioned rail line

There are scattered areas of PCT 277 Blakely's Red Gum – Yellow Box Grassy Tall Woodland on the Parcel A.

Other vegetation located on Parcel A consists of (but not limited to):

- Red River Gum
- White Box with Callistermon
- Melaleuca
- Daviesia shrubs

Understoreys consist of:

- Oats
- Wheat
- Lucerne

Topography of the site falls from east to northwest.

No European Heritage items are located on Parcel A. Transmission lines traverse Parcel A in an east-west orientation.

3 Site Context

Parcel A comprises two (2) allotments and part of a further two (2) allotments as described in **Table 2**.

Table 1 Parcel A Site Description		
Property Address	Lot / DP	Area (Ha)
50 Inglewood Road, Forest Hill (northern part)	1401/1262802	4.7
146 Inglewood Road, Forest Hill (northern part)	2/1077748	18.02
Paperbark Drive, Forest Hill	1/1220149	0.36
20 Mangrove Crescent, Forest Hill	2/1262040	46
TOTAL		69.08

Parcel B – Land South of the decommissioned rail line

There are scattered areas of PCT 277 Blakely's Red Gum – Yellow Box Grassy Tall Woodland to the western area of Parcel B. Natural waterways (1st and 2nd order watercourses) and man-made dams are located on the middle and western part of Parcel B, including a riparian area.

Other vegetation located on Parcel B consists of (but not limited to):

- Red River Gum
- White Box with Callistermon
- Melaleuca
- Daviesia shrubs

Understoreys consist of:

- Oats
- Wheat
- Lucerne

Topography of Parcel B falls from east to south-west.

No European Heritage items are located on Parcel B.

Parcel B comprises part of two (2) allotments as described in **Table 2**

Table 2 Parcel B Site Description		
Property Address	Lot / DP	Area (Ha)
50 Inglewood Road, Forest Hill (southern part)	1401/1262802	65.99
146 Inglewood Road, Forest Hill (southern part)	2/1077748	33.26
TOTAL		99.25

3 Site Context

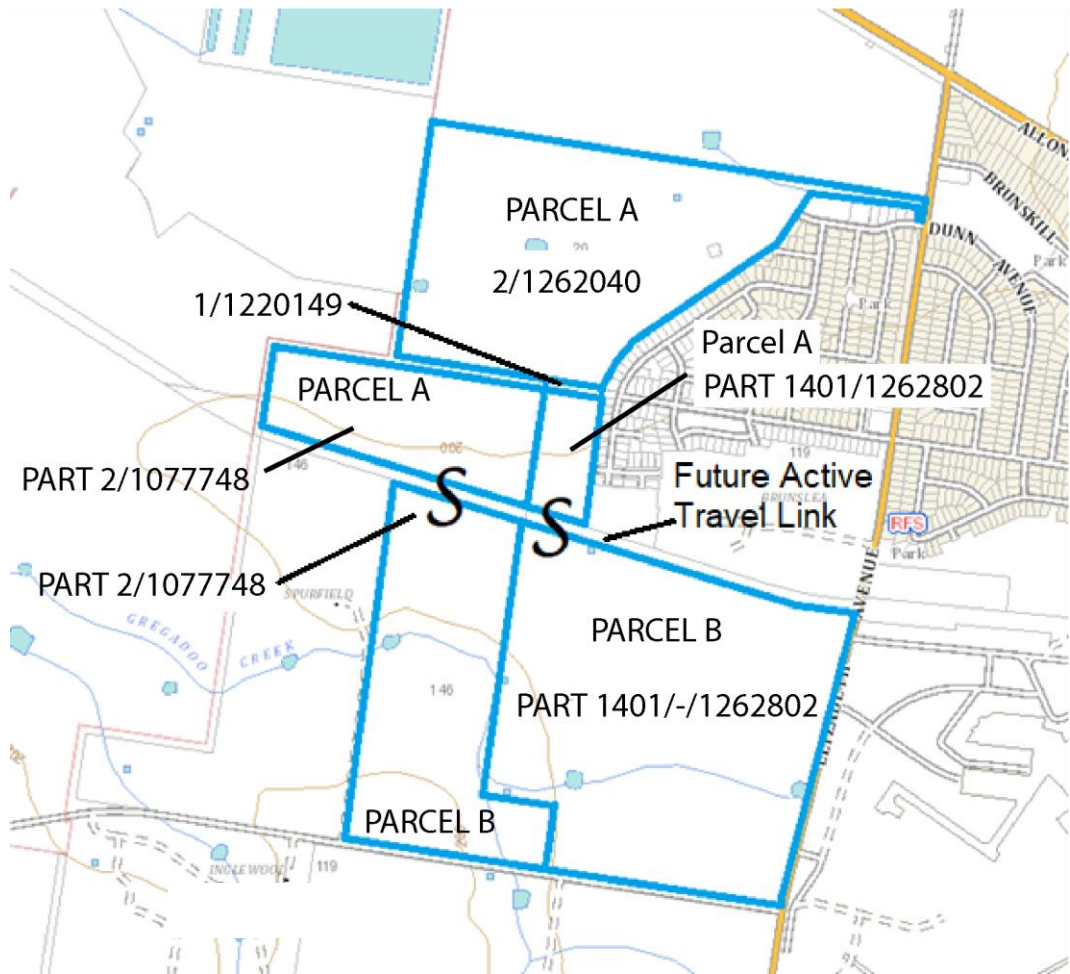


Figure 3 Site Context

Photographs of Parcels A and B are provided in **Figures 4 to 9**.

3 Site Context



Figure 4 Existing overhead powerlines – View from access way off Paperbark Drive



Figure 5 Existing overhead powerlines – View from access way off Paperbark Drive

3 Site Context



Figure 6 Drainage from access way off Paperbark Drive



Figure 7 Site boundary at Inglewood Road

3 Site Context



Figure 8 Disused rail – (Active Travel Route) and subject site to south (left of photo)



Figure 9 Vegetation – north-west of site

A Development Application (D/2021/0224) was approved by Council on 8 December 2021 for lot consolidation and boundary adjustments. Pre-Allocated Plan number have been issued, being DP 1274958. The Lot and DP references may change through the Planning Proposal process to Lots 2, 3, and 4 in DP 1274958, refer **Figure 10**.

3 Site Context

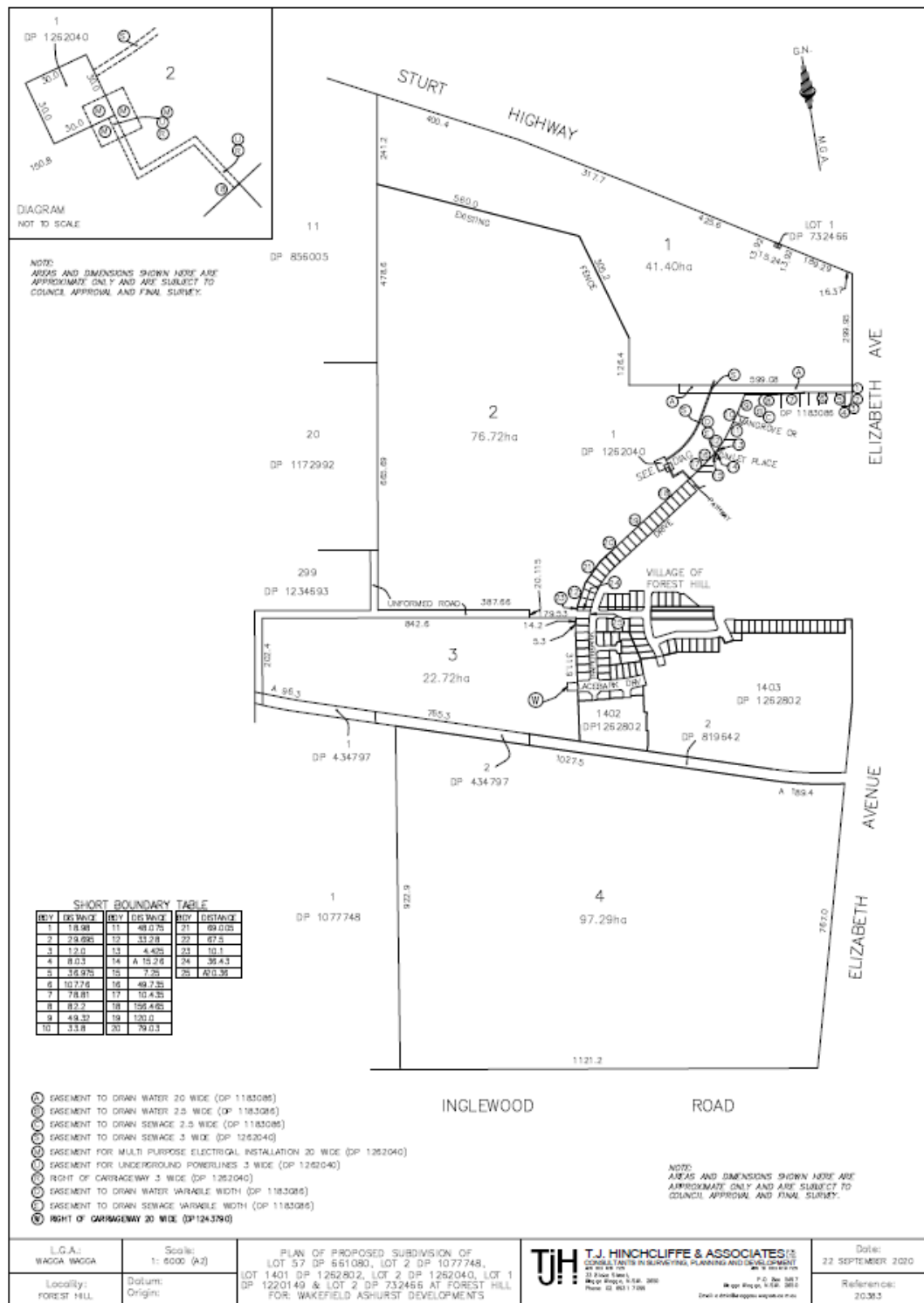


Figure 10 Proposed subdivision

3.2 Surrounding Development

Wagga Wagga, a regional centre, is situated to the north-west of the site and comprises retail, commercial, recreational and residential uses.

Forest Hill, where the overall site is located is currently under transition with an established residential area and further residential development under construction.

3 Site Context

Gregadoo Creek (2nd order stream) traverses the site from the west and turns south towards Inglewood Road. An unnamed 1st order stream connects to Gregadoo Creek from the east of the overall site.

Wagga Wagga airport is located to the east of Elizabeth Avenue. Residential properties are located to the east and north-east of the site and rural properties are located to the south and south west of the overall site.

A large lot residential development is under construction on the adjoining lot to the west of the overall site.

Photographs of the surrounding development are provided in **Figures 11 to 17**.



Figure 11 Mangrove Crescent – existing neighbouring development

3 Site Context



Figure 12 Mangrove Crescent and dwellings backing on to subject site



Figure 13 Adjoining development with lead in streets to subject site (Lacebark Drive)

3 Site Context



Figure 14 Existing industrial area – Elizabeth Avenue



Figure 15 Inglewood Road – looking towards Elizabeth Avenue

3 Site Context



Figure 16 Inglewood Road – looking south



Figure 17 Wagga Wagga Airport

4 Concept Proposal

4.1 Proposed Development

Parcel A

The proposed development comprises:

- Rezoning to allow future subdivision of the site into approximately 280 lots comprising low density lots.
- Retaining environmental land containing PCT 277 Blakely's Red Gum – Yellow Box Grassy Tall Woodland.
- Provision for the creation of public recreation land.
- Vehicular access for residential land via Mangrove Crescent, Lacebark Drive and if Parcel B is rezoned Inglewood Road.
- Amendment of Wagga Wagga Local Environmental Plan 2010 in respect of the land zoning and minimum lot size maps.

The key development statistics of the concept proposal are detailed in **Table 3**.

Table 3 Parcel A - Development Statistics	
Number of existing lots	2 + 2 (part lots)
Combined area of existing lots	Approximately 69.08ha
Indicative number of proposed lots	Approximately 280
Proposed area of rural land	31.02ha
Proposed area of general residential land	36.42ha
Proposed area of public recreation land	1.64ha
Indicative Dwellings per Ha (overall site 73.64 ha)	Approximately 3.8 dwellings/ha
Indicative dwellings per Ha (residential land 36.42ha)	Approximately 7.6 dwellings/ha

Parcel B

The proposed development comprises:

- Rezoning to allow future subdivision of the site into approximately 215 lots comprising large lot residential and industrial lots.
- Retaining environmental land including watercourses and riparian corridors and PCT 277 Blakely's Red Gum – Yellow Box Grassy Tall Woodland.
- Provision for the creation of public recreation land.
- Two (2) x vehicular access for residential land via and Inglewood Road with central access point, connecting to Parcel A.
- Vehicular access for industrial land from Elizabeth Avenue.
- Amendment of Wagga Wagga Local Environmental Plan 2010 in respect of the land zoning and minimum lot size maps.

The key development statistics of the concept proposal are detailed in **Table 3**.

4 Concept Proposal

Table 4 Parcel B - Development Statistics

Number of existing lots	2 (part lots)
Combined area of existing lots	Approximately 99.25ha
Indicative number of proposed lots	Approximately 215
Proposed area of large lot residential land (2,000m ²)	49ha (approximately 165 lots)
Proposed area of large lot residential land (4,000m ²)	29.2ha (approximately 50 lots)
Proposed area of industrial land	3.5ha
Proposed area of public recreation land	17.55ha
Indicative Dwellings per Ha (overall site 99.25 ha)	Approximately 2.2 dwellings/ha
Indicative dwellings per Ha (residential land 78.2ha)	Approximately 2.8 dwellings/ha

The following subsections provide a more detailed description of the concept proposal.

4.2 Concept Plan

A concept plan **Figure 18** has been prepared to depict how future development of Parcel A and Parcel B could occur. The concept plan retains natural waterways, flood affected land and existing vegetation within the proposed recreational land.

Parcel A

It is proposed to have regular residential lots, minimum 450sqm adjacent to the existing and 'under construction' Brunslea Park Estate and approved large lot residential development to the west. .

Overall, the Parcel A will provide for approximately 280 dwellings, 1.64ha of recreational land and will retain rural land to the north, as that area contains flood storage/ flood affected land.

Active Travel links (as noted in Council's Active Travel Link Plan) and bus routes are incorporated into the Concept Plan as demonstrated in the Concept Plan Report, **Appendix 3**.

Parcel B

Parcel B proposes minimum 2,000sqm lots south of the existing rail corridor and north of the recreation land and minimum 4,000sqm lots south of the recreation land and north of Inglewood Road to provide a transition between general residential development and existing rural properties to the south.

Industrial land is proposed along Elizabeth Avenue, adjacent to Wagga Wagga Airport.

Overall, the Parcel B will provide for approximately 215 dwellings and 12.9ha of recreational land and will retain natural waterways and vegetation in the proposed RE1 zoned land.

Active Travel links (as noted in Council's Active Travel Link Plan) and bus routes are incorporated into the Concept Plan as demonstrated in the Concept Plan Report, **Appendix 3**.

4 Concept Proposal



Figure 18 Proposed concept plan

5 Environmental Considerations

5.1 Biodiversity and Ecology

An initial Biodiversity Assessment was prepared by NGH to ascertain the ecological values present on the overall site.

The site has been highly disturbed by the practice of rotating of cropping and grazing, which resulted in a prevalence of exotic vegetation being found during site surveys.

The site contains 31 flora species including Blakely's Red Gum, Yellow Box, Red River Gum, and White Box with Callistemon, Melaleuca and Daviesia shrubs also located on the southern boundary.

Understorey consists of cropped species including, oats, wheat and Lucerne.

One Plant Type Community (PTC) was identified on the site and covers approximately 1.5ha of the total site area, being:

- PTC 277 Yellow Box – Red River Gum Tall Grassy Riverina Woodland of NSW South Western Slopes Bioregion and Riverina Bioregion. (**Figure 19**)

NGH has identified PCT 76 aligns with one (1) Threatened Ecological Community listed (as Endangered) under the Biodiversity Conservation Act 2016, being PCT 277 White Box Yellow Box Blakely's Red Gum Woodland and one (1) threatened ecological community listed (as critically Endangered) under the Environment Protection and Biodiversity Conservation Act 1999, being White Box Yellow Box Blakely's Red Gum Woodland. The vegetation does not conform to the Commonwealth listed EPBC Act, critically endangered, due to the ground layer containing less than 50% of native perennial species. PCT 76 is not located on the overall site, it is located to the south and west of the overall site.

Majority of the areas identified as PCT 277 are proposed to be retained within the proposed RE1 zoned land. In addition, the proposed large minimum lot sizes in Parcel B are large enough to retain most of PCT 277 within the proposed lots.

A small percentage of this PTC will require removal for future development. The concept plan and Initial Biodiversity Assessment demonstrates that it is likely that more than 0.25ha of native vegetation would need to be cleared (4.8ha of PCT 277 and 0.23ha of planted native vegetation) for the purpose of future subdivision, therefore the Biodiversity Offset Scheme (BOS) threshold would be exceeded and a BDAR would be required at future subdivision stage.



Figure 19 Vegetation Map

5.2 Traffic Impact and Parking

The local Road network consists of:

- Sturt Highway (National Highway) - one lane in either direction with a posted speed limit of 80km/h
- Elizabeth Avenue (collector road) – one lane in either direction with kerbside parking on both sides and 50mkm/h speed limit north of Wagga Wagga airport and 100km/hr speed limit south of Wagga Wagga airport.
- Mangrove Crescent (local road) - one lane in either direction with kerbside parking on both sides and 50mkm/h speed limit
- Hazelwood Drive (local road) - one lane in either direction with kerbside parking on both sides and 50mkm/h speed limit
- Inglewood Road (local road) – one lane in either direction, informal verges with a speed limit of 100km/hr.

Bus services currently service Brunslea Park. The proposed concept plan proposed road widths accommodate for an expansion of bus services.

Vehicular access to Parcel B is provided by Inglewood Road. Vehicular access to Parcel A is provided from Mangrove Crescent and Lacebark Drive, both of which connect to Elizabeth Avenue.

A north-south road is proposed in the Concept Plan to connect Parcel A and Parcel B from Mangrove Crescent to Inglewood Road.

No access is proposed from Elizabeth Avenue to the proposed large lot residential zoned land, however, vehicular access to the proposed industrial zoned land is proposed off Elizabeth Avenue. Additionally, pedestrian access is provided via Wollemi Street from the Brunslea Park Estate to the east.

No direct vehicular access is proposed from Sturt Highway.

Arc Traffic and Transport has prepared a Transport Assessment which has reviewed the indicative concept plan against:

- Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040
- Wagga Community Strategic Plan
- Wagga Spatial Plan, and
- Riverina Murray Regional Plan

The Transport Assessment assessed the relevant access, traffic and parking characteristics of the Planning Proposal as well as undertaking consultation with Roads and Maritime Services (RMS) and Council. RMS advised that future traffic conditions, particularly any expansion of Wagga Wagga airport had the potential for the following local upgrades:

- The intersection of Sturt Highway & Elizabeth Avenue & Braehour Road;
- Elizabeth Avenue; and
- Inglewood Road.

Council advised that previous discussions around a link road to the airport would unlikely be pursued and that upgrades at future development application stage may be required to Inglewood Road/ Elizabeth Avenue intersection and Elizabeth Avenue/ Sturt Highway intersection.

The planning proposal would provide for a future additional 280 residential lots in Parcel A and 215 large residential lots in Parcel B, which would add to the traffic generation on the local street network. Arc Traffic and Transport have provided impact mitigations for future development, which may include:

- Road Network Upgrades

- Roundabout or signals at the Sturt Highway/ Elizabeth Avenue intersection
 - Reprioritise intersection movements
 - Upgrade of Inglewood Road (Council + Contributions)
- Rail Trail Road Link
 - Vehicle cross over the rail link to provide continuity through the site
 - Provide safe crossing over roadway for pedestrians and cyclists
- Parking Rates
 - Compliance with Wagga Wagga DCP.

Impact mitigations, would be further assessed and may be applicable at future DA stages, are detailed in **Appendix 10**.

5.3 Contamination

The overall site is located approximately 1 km to the west of the Wagga Wagga RAAF Base where the former use of aqueous film forming foams (AFFF) has resulted in polyfluoroalkyl substances (PFAS) contamination.

A Detailed Site Investigation (DSI) was undertaken by EMM **Appendix 8** and comprised:

- *soil sampling from 24 sampling locations, to approximately 3 metres below ground level (m bgl).*
- *groundwater sampling from 6 locations, including 4 wells installed to target shallow groundwater in the upper Cowra Formation and 2 wells installed to target the deeper aquifer in the Lachlan Formation. These wells were installed at the north-western Site boundary to assess connectivity between surface water and groundwater, as indicated by the Defence DSI. Two groundwater monitoring wells installed at the eastern (up hydraulic gradient) boundary of the Site were dry at 15 m bgl, confirming limited migration of groundwater in the shallow geology;*
- *surface water sampling from 13 locations, including farm dams and surface water drainage lines throughout the Site; and*
- *sediment sampling from 14 locations, concurrent with the surface water sampling locations (with the exception of one location which was dry at the time of sampling).*

Potential complete exposure scenarios between Site users, future residents and ecological communities and impacted groundwater were also identified in the north-western portion of the Site, where regional geology may allow connectivity between surface water and groundwater. This area is located within the flood prone area and is not proposed for rezoning or future residential uses.

The DSI provides mitigation measures for PFAS identified as follows:

- *The Defence is actively managing PFAS contamination on the RAAF Base and in downgradient areas through the implementation of the PFAS Management Area Plan (PMAP). This includes groundwater and surface water management zones in areas surrounding the Site. Consequently, it is expected that the mass of contaminants migrating onto the Site in surface water will reduce over time, which would reduce impacts to surface water bodies, soil and sediment on the Site.*
- *Management of surface water is recommended during the construction phase to minimise direct contact between potentially impacted water and construction workers and reduce the migration of impacted sediment (either entrained in surface water flows or as a result of contaminants settling in bodies of standing water). Following construction, it is anticipated that surface water would be diverted into municipal stormwater drains or dedicated surface water drainage infrastructure, thereby minimising potential contact with future Site users and ecological receptors. If riparian*

zones are retained, further discussion may be required to understand the implementation of management measures under the Defence PMAP.

- *While no contamination greater than the SAC was reported, it is recommended that tip materials identified in the central/southern portion of the Site are removed, and removal and/or validation of underlying soils is completed as the presence of localised contamination in the tip area cannot be precluded at this stage.*

No contamination was identified in soil at concentrations greater than the adopted site assessment criteria (SAC) for human health, with the following exceptions:

- *two samples of surface water with concentrations of perfluorooctane sulfonate (PFOS) + perfluorohexane sulfonate (PFHxS) greater than the SAC for drinking water. Consumption of surface water within the Site under a residential land use is considered an unlikely exposure pathway, as residences will be connected to a town water supply. Additionally, use of contaminated water for irrigation of home grown produce and subsequent consumption of that produce, is a potential indirect pathway for future residents, however the low concentrations and limited extent of contamination reported as well as the indirect nature of potential exposure is considered to make this an unlikely exposure scenario. Incidental ingestion may occur during development of the Site, with sensitive receptors identified as construction workers; and*
- *one sediment sample with a concentration of PFOS greater than the SAC for residential soil was reported within the Site. Given the limited extent of contamination it is considered that a complete exposure pathway with future residents is unlikely. Potential exposure during the construction phase is possible.*

Concentrations greater than the environmental SAC were reported in sediment, surface water and groundwater as follows:

- *PFOS was reported in one sediment sample (plus one sample to the north of the Site) at a concentration greater than the indirect ecological exposure guideline value for soil. This sample also reported a concentration of total recoverable hydrocarbons (TRH) greater than the ecological screening level (ESL). Given the isolated nature of these results, no significant impact on the suitability of the Site for residential land use is anticipated;*
- *PFOS was reported in one groundwater sample and all surface water samples at concentrations greater than the ecological assessment criteria. The ecological assessment criterion is noted to be very low (lower than the laboratory limit of reporting (LOR) for groundwater) so as to account for potential bioaccumulation. The source of surface water contamination (RAAF Base Wagga) is undergoing management and it is likely that contaminant load will reduce over time. Additionally, the receiving environments (such as Gumly Gumly wetland) are subject to ongoing management under the Defence PMAP. It is also expected that development of the Site will manage the migration of surface water across the Site, reducing opportunities for exposure (for example, using stormwater drains and removing farm dams). As a result, the exceedance of ecological criteria is not considered to affect the overall suitability of the Site for the proposed development; and*
- *potential terrestrial and aquatic ecological exposure pathways identified in the southern portion of the Site associated with the Gregadoo Creek catchment will require management if this area is retained at the Site as a riparian zone. This area falls within the Defence PMAP surface water management zone and will be subject to ongoing management measures to reduce contaminant load and mitigate exposure risks.*

Based on the findings of this DSI, complete or potentially complete “source-pathway-receptor linkages” were identified for Site users including construction workers (direct contact with surface water and potentially with sediments), terrestrial ecology (surface water and sediments) and aquatic ecology (surface water and groundwater). It is considered that the Site can be made suitable for residential land use, based on the following:

- *As noted above, the Defence is actively managing PFAS contamination on the RAAF Base and in downgradient areas through the implementation of the PFAS Management Area Plan (PMAP). This includes groundwater and surface water management zones in areas surrounding the Site. Consequently, it is expected that the mass of contaminants migrating onto the Site in surface water will reduce over time, which would reduce impacts to surface water bodies, soil and sediment on the Site.*
- *Management of surface water is recommended during the construction phase to minimise direct contact between potentially impacted water and construction workers and reduce the migration of impacted sediment (either entrained in surface water flows or as a result of contaminants settling in bodies of standing water). Following construction, it is anticipated that surface water would be diverted into municipal stormwater drains or dedicated surface water drainage infrastructure, thereby minimising potential contact with future Site users and ecological receptors. If riparian zones are retained, further discussion may be required to understand the implementation of management measures under the Defence PMAP.*
- *While no contamination greater than the SAC was reported, it is recommended that tip materials identified in the central/southern portion of the Site are removed, and removal and/or validation of underlying soils is completed as the presence of localised contamination in the tip area cannot be precluded at this stage.*

In regard to the tip materials mentioned in the last dot point, remediation will be undertaken to the identified tip area located on the central portion of Parcel B, where localised contamination may be present, prior to any future development on the site.

5.4 Stormwater

The overall site is divided by a ridge running east-west (Active Travel Link), with the overall site draining to two catchment areas being:

- Parcel A – drains to north and joins Marshalls Creek which runs to the west.
- Parcel B – drains south and north to the central area of the site and joins Gregadoo Creek which runs to the west.

A Stormwater treatment strategy has been formulated for proposed future development, including:

- Rainwater tanks on all future lots to capture roof runoff and reuse for toilet flushing, cold water laundry and garden irrigation;
- A rehabilitated riparian corridor running through the southern part of the site;
- Gross Pollutant Traps (GPTs) to treat both lot and road runoff (eight in total); and
- Bio-retention/detention basins (seven in total).

Seven large bioretention basins (**Figure 20**) will be incorporated into future development to act as both water quality treatment and stormwater detention facilities and will contain landscaping of native grasses and shrubs underlain by an infiltration zone and associated under drain.

Future riparian corridors in Parcel B will contain a meandering low flow channel that is rock lined and incorporate a series of natural pools and riffles. Overbanks will be wide and flat to maximise flood conveyance and be planted with native vegetation.

The proposed stormwater management strategy ensures that both the water quality and quantity treatment targets of the City of Wagga Wagga Council's Stormwater Policy (POL 037) are not only achieved but exceeded.

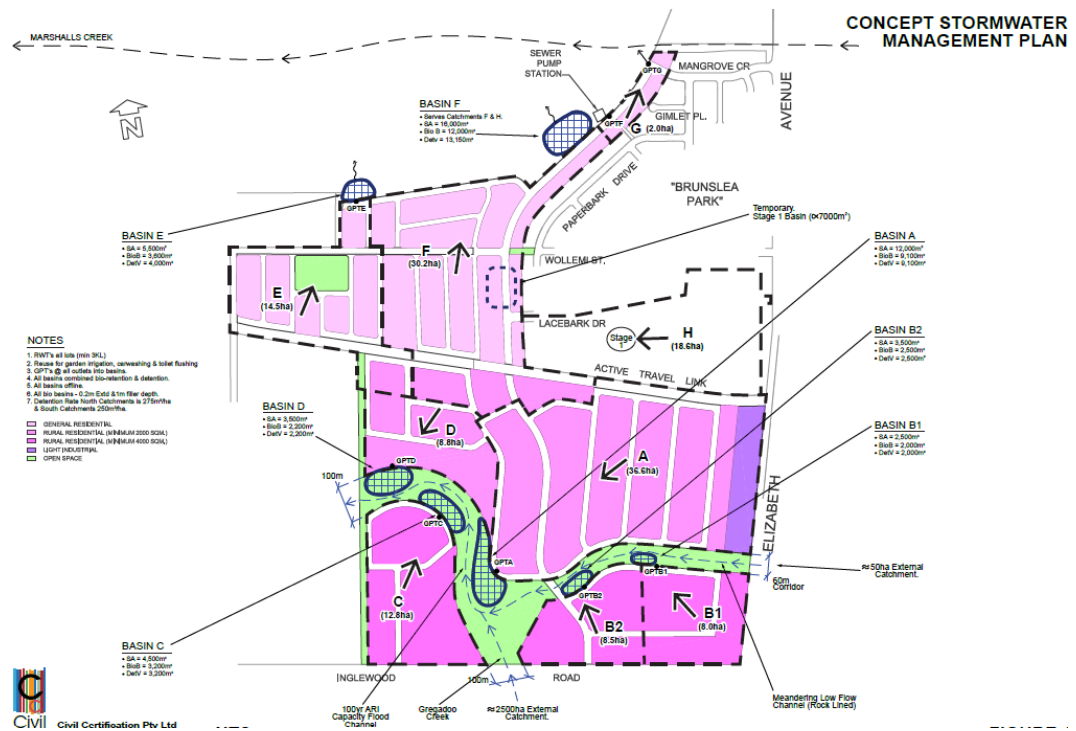


Figure 20 Proposed future stormwater management

5.5 Flooding

Flood affected land is located on the north-western part of Parcel A as illustrated in **Figure 21**. With a minor exception, the 1 in 100-year flood affected land will remain in the RU1 zone with no future development proposed. Existing mainstream 100yr average recurrence interval (ARI) flood levels have been provided for the northern parts of the proposed development adjacent to Marshalls Creek (approximately RL.183.15).

All future residential development in the northern catchment will be sited a minimum of 500mm above this 100yr ARI flood level.

It is considered the minor section of 1 in 100-year flood affected land can be engineered with minimal effect to the flood character/behaviour.

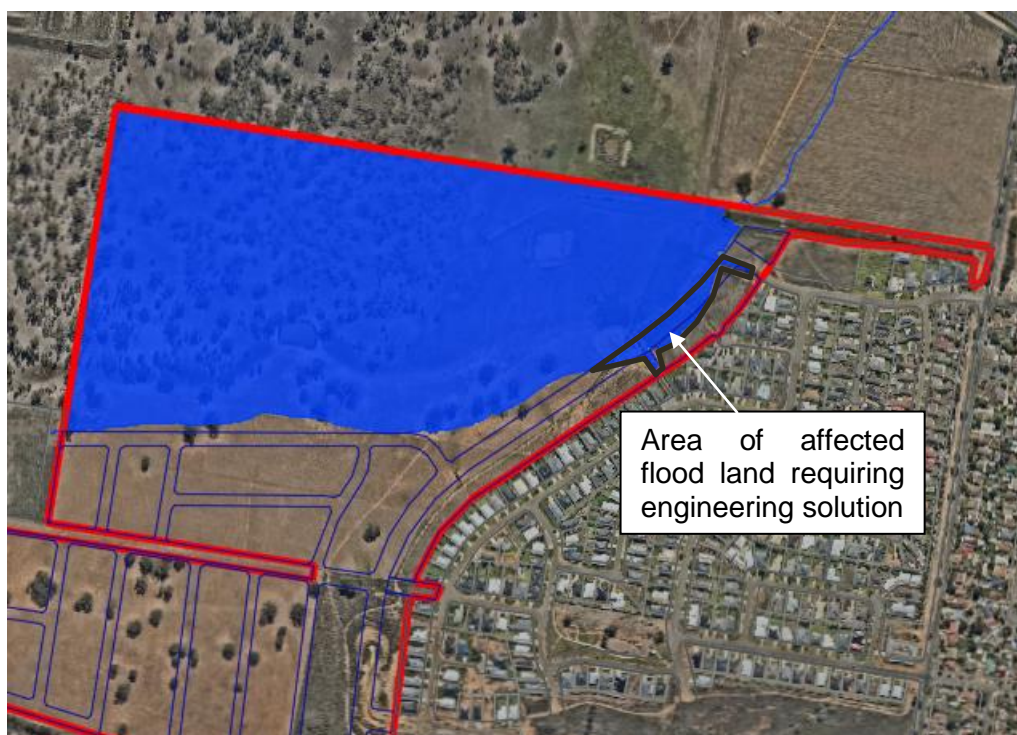


Figure 21 Northern part of site (Parcel A) – 1 in 100-year flood affected land

Parcel B is not affected by flood.

5.6 Bushfire

An assessment of surrounding vegetation was undertaken by NGH Pty Ltd, which identified the following hazard and non-hazard vegetation within 140m of Parcel A and Parcel B, refer **Figure 22**:

Hazard Vegetation

- *Flood Plain Transition Woodlands is located north of the proposed residential zoned land within Lot 2 DP 1262040 (Parcel A),*
 - *The vegetation community comprises an open woodland and is lacking any shrub component or significant presence of understory plants or dense grasses. Canopy cover is minimal.*
 - *The area of woodland vegetation within Lot 2 and adjoining land is low-lying and subject to inundation.*
- *Grassland vegetation (native grasses and pastures) is located around the proposal area.*
 - *The surrounding area has been subject to practice of crop rotation and grazing. Pastures include oats, wheat and lucerne.*
 - *Although not mapped as BFPL, in the right conditions, grassland can carry fire and pose a threat to human life and the built environment.*

Non-hazard vegetation - Existing

- *Surrounding built (residential) land uses.*
 - *Future Wagga Active Travel Link – involving construction of a shared pathway (hardstand area) within the disused railway corridor (construction estimated to commence November 2021).*
- *Other (sealed) public roads and maintained road verge/footpaths in the locality.*
 - *Surrounding built (airport precinct) land uses.*

Non-Hazard vegetation was also determined for proposed future residential use:

- *Proposed internal road layout (public roads and maintained road verge/footpaths in the locality).*
 - *Proposed low-hazard areas (low fuel/maintained vegetation) – areas of open space, riparian areas, playground, and recreational areas.*

- Future subdivision would require open space and recreational areas to adopt a management plan, which would outline management responsibilities of public land.
- Management of public land would occur in perpetuity, in accordance with APZ specifications.

In total there is a fuel load of 18.9ha of Flood Plain Transition Woodlands and 6.0ha of Grassland. The site is located within a Forest Fire Danger Index (FFDI) of 80 (Eastern Riverina Region).

Topography within 100m of the site ranges from 182m AHD to 212m AHD, the slope under the vegetation would most significantly influence the bushfire behaviour. Asset Protection Zones (APZ) have been determined at between 10m and 11m. Refer to **Figure 23** and **Appendix 5**.



Figure 22 Landscape Analysis Plan (NGH)



Figure 23 Indicative Asset Protection Zones (NGH)

5.7 Heritage

No heritage items or conservation areas are identified as being located on either Parcel A or Parcel B. Whilst not a heritage item, a disused rail line transects the northern and southern sections of the site. This is identified to form part of the Active Link in Council's Active Travel Plan.

5.8 Aboriginal Cultural Heritage

A Preliminary Aboriginal Heritage Assessment has been prepared by NGH, **Appendix 6**. The assessment included a search of the aboriginal Heritage Information System (AHMIS) database, which identified nine (9) previously recorded Aboriginal sites with stone artefacts within Parcel A. Refer to **Figure 24**. There were no recorded sites in Parcel B.

The assessment notes that *'based on previous archaeological investigations, it is likely the site will contain low density artefact scatters and isolated artefacts produced with quartz, likely found in both surface and subsurface deposits, to a depth of 15cm to 25cm within compact reddish-brown silty loam on basal, as well as ridge crest landforms that are associated with potable water'*.

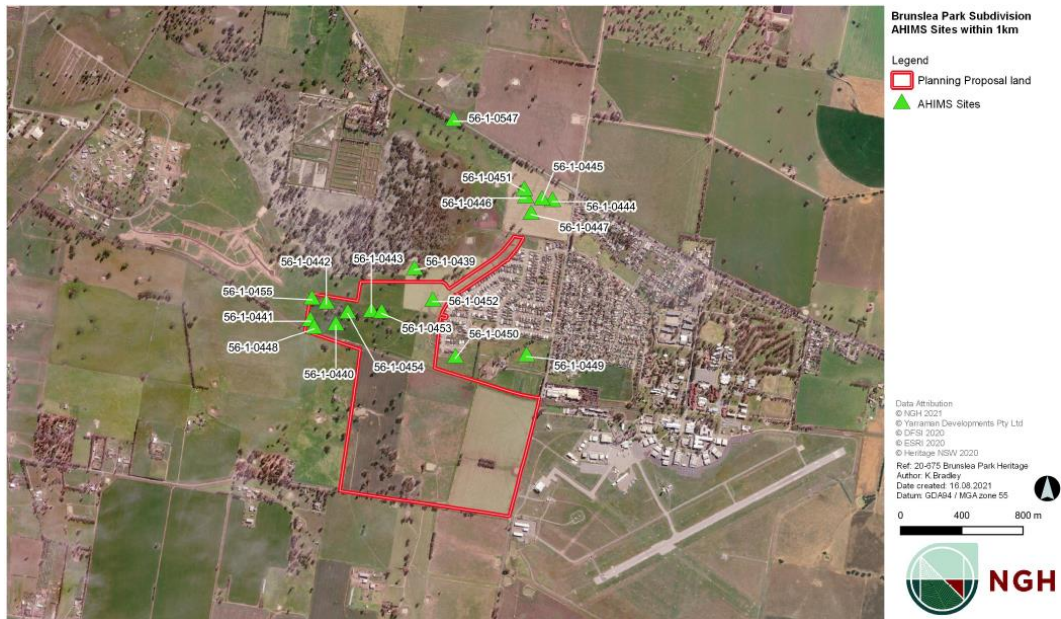


Figure 24 AHIMS Sites

The assessment concludes that the Planning Proposal can proceed, however future development with ground disturbance works is likely to impact on Aboriginal objects and would require further archaeological investigation and assessment at that stage. An Aboriginal Cultural Heritage Impact Assessment Report will be required for future Development applications to support an Aboriginal Heritage Impact permit (AHIP).

5.9 Infrastructure Services

Mangrove Crescent (east-west alignment) to the north of the site has been designed and built for continuity into Parcel A. Lacebark Drive (east-west alignment) to the middle of the site has been design and constructed for continuity into Parcel A. The adjoining residential subdivision is serviced with electricity, water, sewer and telecommunications. Existing Infrastructure report has been prepared by Lance Ryan Consulting Engineers and identifies the location of existing services and the capacity to service development on Parcel A and Parcel B. Some augmentation of services will be required.

5.10 Airport Noise

The overall site is currently not affected by mapped ANEF contours. Council is currently preparing a draft airport masterplan. A copy of the draft masterplan was not available at time of writing this report, therefore the current ANEF contours have been used.

Parcel A

It Is not anticipated that future ANEF contours will impact the proposal for Parcel A.

Parcel B

Whilst future ANEF contours are not available the Concept Plan and proposed zonings have taken into account a possible expansion of the airport. In the event that the airport may expand and ANEF contours change, mitigation measures have been included in the Concept Plan, including siting of IN1 zoned land along Elizabeth Avenue and provision R5 Large Lot Residential zoned land with both 2,000 and 4,000 minimum lot sizes.



Figure 25 ANEF Contours

6 Matters Required by section 3.33 of the EP&A Act

6.1 Introduction

Section 3.33 of the EP&A Act relates to Planning Proposals and specifically, the matters that are to be addressed in a Planning Proposal. Specifically, section 3.33 states:

- “(1) Before an environmental planning instrument is made under this Division, the planning proposal authority is required to prepare a document that explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument (the planning proposal).
- (2) The planning proposal is to include the following:
- (a) a statement of the objectives or intended outcomes of the proposed instrument,
 - (b) an explanation of the provisions that are to be included in the proposed instrument,
 - (c) the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will give effect to the local strategic planning statement of the council of the area and will comply with relevant directions under section 9.1),
 - (d) if maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument,
 - (e) details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.
- (3) The Planning Secretary may issue requirements with respect to the preparation of a planning proposal.”

The following subsections of this Planning Proposal address the requirements of section 3.33 of the EP&A Act.

6.2 Part 1 - Objectives or Intended Outcomes (section 3.33(2)(a))

6.2.1 Objectives and Outcomes

Parcel A

The intended objectives or outcomes for Parcel A of this Planning Proposal is:

- To rezone RU1 Primary Production zoned land to part RE1 Public recreation zone to accommodate future recreation land and open.
- To rezone current RU1 Primary Production zoned land to part R1 General Residential, in keeping with adjoining development to the east.
- To retain part RU1 zoned land on constrained land.
- To amend the minimum lot size map within WWLEP 2010 to suit the proposed zones and reflect controls in similar zones.
- Enhance the landscaping on the site.
- Retain historical features that transect the site (rail line) for future adaption in open space networks.
- Provision for pedestrian/ cycle network providing connectivity through the site and the wider pedestrian/ cycle network.

Parcel B

The intended objectives or outcomes for Parcel B of this Planning Proposal is:

- To rezone RU1 Primary Production zoned land to part RE1 Public recreation zone to accommodate future recreation land and open space.
- To rezone current RU1 Primary Production zoned land to part R5 Large Lot Residential, creating a transition from the existing and proposed R1 General Residential zone, north of Parcel B to rural properties south of the Parcel B, also creating a buffer from the airport to denser residential areas.
- To rezone current RU1 Primary Production zoned land to part IN1 General Industrial, in keeping with the industrial zone east of Elizabeth Avenue adjoining the airport.
- To amend the minimum lot size map within WWLEP 2010 to suit the proposed zones and reflect controls in similar zones.
- Enhance the landscaping on the site.
- Retain historical features that transect the site (rail line) for future adaption in open space networks.
- Provision of land for pedestrian/ cycle network providing connectivity through the site and the wider pedestrian/ cycle network.

6.3 Part 2 - Explanation of Provisions (section 3.33(2)(b))

6.3.1 Proposed Permissibility

The proposed outcome will be achieved through the amendment of Wagga Wagga Local Environmental Plan 2010 as outlined below. Proposed maps are also shown in **Section 6.8** of this report:

Parcel A - Proposed Land Zones

Table 5 provides a breakdown of current and proposed lots

Table 5 Parcel A - Proposed Land Zone		
Property Address	Current zoning	Proposed zoning
Part 50 Inglewood Road, Part 146 Inglewood Road Lot 2 DP 1077748), Paperbark Drive, 20 Mangrove Crescent, Forest Hill	RU1 Primary Production	Part RU1 Primary Production Part RE1 Public Recreation Part R1 General Residential

Parcel B – Proposed Land Zones

Table 5 provides a breakdown of current and proposed lots

Table 6 Parcel B - Proposed Land Zone		
Property Address	Current zoning	Proposed zoning
Part 50 Inglewood Road, Part 146 Inglewood Road, Forest Hill	RU1 Primary Production	Part RE1 Public Recreation Part R5 Large Lot Residential Part IN1 General Industrial

Parcel A - Proposed Minimum Lot Size

Table 7 and Table 8 provides a breakdown of proposed lot sizes.

Table 7 Parcel A - Proposed minimum lots size	
Proposed Zone	Proposed Minimum lot size
R1 General Residential	450m ²
RE1 Public Recreation	N/A

Parcel B – Proposed Minimum Lot Size

Table 8 Parcel B - Proposed minimum lots size	
Proposed Zone	Proposed Minimum lot size
R5 General Residential (north of RE1 land)	2,000m ²
R5 General Residential (south of RE1 land)	4,000m ²
IN1 General Industrial land	N/A
RE1 Public Recreation	N/A

6.4 Part 3 – Justification (section 3.33(2)(c))

6.4.1 Section A – Need for the Planning Proposal

6.4.1.1 Question 1 – Is the planning proposal a result of any strategic study or report?

The Planning Proposal is a result of previous discussions with Council and the inclusion of the following statement within Principle 7 of the Wagga Wagga Local Strategic Planning Statement:

‘Growth in areas not identified for growth in this plan will be considered based on the principles of this plan, specifically service provision, connectivity, and accessibility’.

The site is identified in Council’s Active Travel Plan with walkways and cycleways traversing the site.

Principles of this plan

The principles of the LSPS are addressed in **Section 6.5.2**.

Service provision

Water supply, gas supply, NBN and electricity are all available in the vicinity of the site.

Water mains are located along Elizabeth Avenue Mangrove Crescent, Lacebark Drive, Inglewood Road and through the disused rail line, which will serve as convenient access points to service future lots in both Parcel A and B.

Should augmentation of services be required for future development of the site, they will be undertaken at the developer’s cost.

Parcel A - A sewer pump station has already been provided to cater for proposed development north of the disused railway line.

Parcel B - A new sewer pump station will be required along Inglewood Road for the proposed development south of the disused rail line.

Connectivity and accessibility

Travel links are proposed throughout the proposed concept plan (Parcel A and B) as identified in the Active Travel Plan (**Figure 26**) which will provide access and connectivity to the wider Wagga Wagga area.

The overall development provides connectivity between constructed and approved residential developments to the east and west of the site.

The subject land (Parcel A and B) is identified within the Spatial Plan as being located within the Forest Hill and Gumly Gumly suburb and sits within the urban containment line.

Parcel A

The proposal connects residential development to the east and west of the site. The proposed RE1 zone retains natural vegetation.

Parcel B

The proposal provides a transition from residential to the north and rural to the south. The location of proposed industrial lands provides connection to existing industrial lands and Wagga Wagga Airport. The proposed RE1 zone retains natural waterways and vegetation.

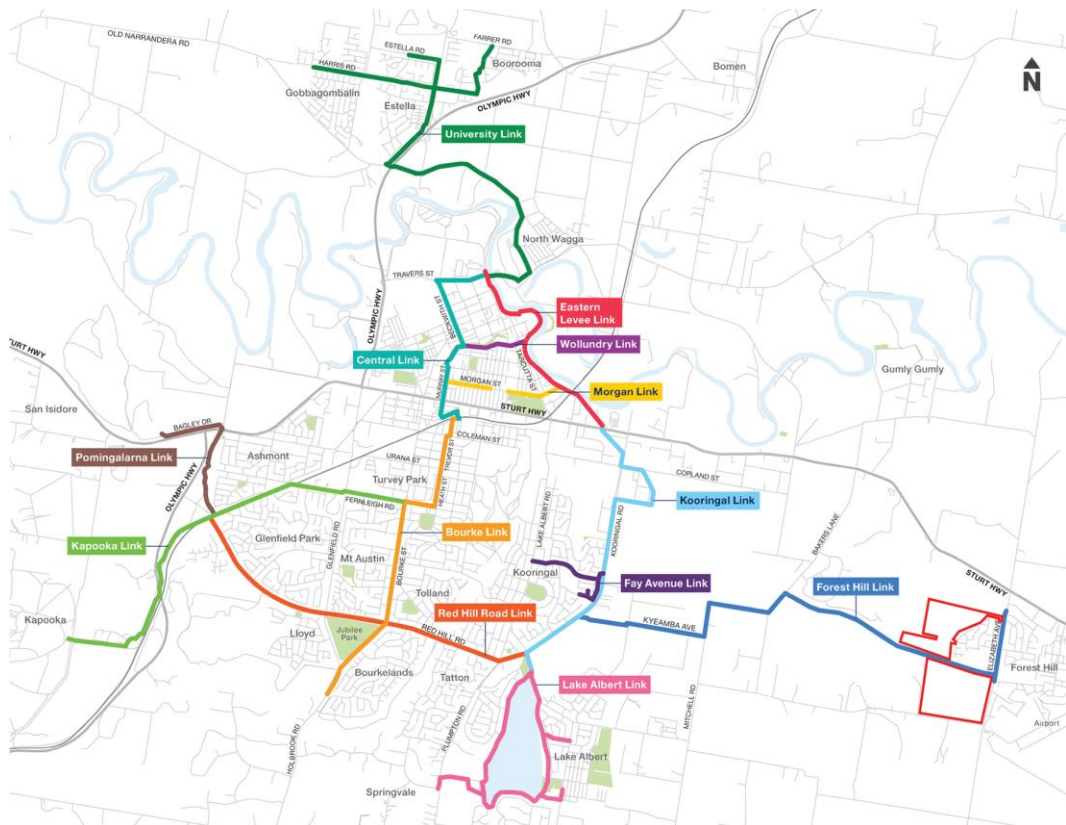


Figure 26 Map from Council's Active Travel Plan

6.4.1.2 Question 2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Parcel A

Rezoning the site is the best option to achieve orderly development of the overall site, connecting residential land to the east and west of the site and provides recreational land for future public use. The proposal is consistent with the WWLEP 2010, the objectives of the RE1 Public Recreation zone and the objectives of the R1 General Residential Zone as discussed in **Table 9 to Table 11** below:

Parcel B

Rezoning the site is the best option to achieve a transition from residential land to rural land and provides recreational land for future public use. The proposal is consistent with the WWLEP 2010, the objectives of the RE1 Public Recreation zone, the objectives of the R5 Large Lot Residential zone and IN1 General Industrial zone as discussed in **Table 11 - Table 13** below:

Table 9 The proposal's consistency with WWLEP 2010 objectives for the RU1 zone

Objective	Parcel A Comment
To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.	The proposed (retained) RU1 zoned land will remain a vegetated flood storage area.
To encourage diversity in primary industry enterprises and systems appropriate for the area.	N/A. The retained RU1 zoned land is not suitable for primary industry enterprises due to its vegetation and flooding constraint.
To minimise the fragmentation and alienation of resource lands.	The proposed RU1 land will not be fragmented as it adjoins other RU1 land to the north.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The proposed RU1 land is flood prone and not suitable for development. The land will remain as a flood basin and transition area between rural and residential lands.
To foster strong, sustainable rural community lifestyles.	N/A the RU1 land is flood prone and the land is not suitable for primary industry enterprises
To maintain the rural landscape character of the land.	The proposed RU1 land will retain its current rural landscape character.
To allow tourist and visitor accommodation only where it is in association with agricultural activities.	N/A the RU1 land is flood prone

Table 10 The proposal's consistency with WWLEP 2010 objectives for the R1 zone

Objective	Parcel A - Comment
To provide for the housing needs of the community.	<p>The concept plan provides low density residential lots in accordance with this objective, and it will extend the existing R1 zoning area to the east of the site which have been designed to extend to the site.</p> <p>In keeping with the surrounding zones, the land to the north of the site proposed as R1 Low Density housing.</p>
To provide for a variety of housing types and densities.	The indicative concept plan has been based on lot sizes ranging from approximately 4500m ² to 700m ² allowing for a variety of housing types.
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	<p>The proposed R1 land also provides open space and provision for footpath and cycleways in accordance with the Active Travel Link Plan.</p> <p>The land use table of the current R1 zone will apply including other land uses that support the day to day needs of future residents.</p>
To ensure co-ordinated and cost-effective provision of physical, social and cultural infrastructure in new residential areas.	The proposal provides for an active travel link to traverse through the site and retains natural waterways and some vegetation.

Table 11 The proposal's consistency with WWLEP 2010 objectives for the RE1 zone

Objective	Parcel A	Parcel B
To enable land to be used for public open space or recreational purposes.	The proposed RE1 land will be utilised as public open space with provision for future walkways and cycleways.	The proposed RE1 land will be utilised as public open space with provision for future walkways and cycleways.
To provide a range of recreational settings and activities and compatible land uses.	There is opportunity at later DA stages to include picnic areas, walking and cycle trails within the RE1 land.	There is opportunity at later DA stages to include picnic areas, walking and cycle trails within the RE1 land.
To protect and enhance the natural environment for recreational purposes.	The proposed RE1 area allows for future recreational uses of the area and opportunities to replant and enhance the existing vegetation.	The proposed RE1 area allows for future recreational uses of the area, through pathways, cycleways and enhancing the vegetation within the riparian areas.
To protect and enhance the natural environment generally and to assist in ensuring that areas of high ecological, scientific, cultural or aesthetic values are maintained or improved.	The Proposed RE1 land is situated around natural vegetated areas to assist in protecting and improving areas of high ecological values	The Proposed RE1 land is situated around natural waterways and riparian zones as well as vegetated areas to assist in protecting and improving areas of high ecological values

Table 12 The proposal's consistency with WWLEP 2010 objectives for the R5 zone

Objective	Parcel B comment
To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.	Provision of large lot residential assists to retain the rural outlook from Inglewood Road and allows for further retention of high value vegetation within the larger lots.
To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.	Large lot residential provides a transition from general residential to existing rural properties.
To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.	The proposed area is under transition from rural to low density residential. Further proposed residential land would not cause unreasonable demand for public services or facilities.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	Two minimum lot sizes are proposed within the R5 zone. A minimum 2,000m ² lot size between the proposed and existing R1 zoned land to the north and RE1 zone and a 4,000m ² minimum lot size to the south of the RE1 zone to provide a transition between residential land and existing rural land to the south of Inglewood Road.
To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable.	Vegetation has been retained where possible within the RE1 land, however some vegetation clearing will be required and an initial BDAR has been prepared to determine offset requirements.

Table 13 The proposal's consistency with WWLEP 2010 objectives for the IN1 zone

Objective	Parcel B Comment
To provide a wide range of industrial and warehouse land uses	Proposed IN1 land can be subdivided at future stages to suit differing industrial requirements in the local area.
To encourage employment opportunities.	Provision of additional IN1 land will provide employment opportunities to local and nearby residents.
To minimise any adverse effect of industry on other land uses.	The proposed IN1 land is situated adjacent existing industrial land and Wagga Wagga Airport. This location was deemed the most suitable regarding minimising adverse effects on other land uses.

Table 13 The proposal's consistency with WWLEP 2010 objectives for the IN1 zone

Objective	Parcel B Comment
To support and protect industrial land for industrial uses.	Additional industrial lands support existing industrial facilities adjacent to Wagga Wagga Airport.

6.5 Section B – Relationship to Strategic Planning Framework

6.5.1 Question 3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Riverina Murray Regional Plan (RMRP) 2036

The Riverina Murray Regional Plan 2036 is a 20-year blueprint for the future of the Riverina Murray. The RMRP delivers the vision for the region through four goals:

- A growing and diverse economy
- A healthy environment with pristine waterways
- Efficient transport and infrastructure networks
- Strong, connected and healthy communities

A review of these four goals is shown below in **Table 14**.

Table 14 Riverina Murray Regional Plan		
Goal	Parcel A Comment	Parcel B Comment
Goal 1 A growing and diverse economy		
Direction 1 – Protect the region's diverse and productive agricultural land	The site is partly used for grazing, however the proposal to rezone the land for future development is considered orderly development as it provides connectivity between two existing residential areas.	The site is partly used for grazing, however the proposal to rezone the land for future development is considered orderly development as it provides a transition between general residential areas and existing rural/ agricultural properties. Part of the land was previously used a localised tip site, which may have localised contamination, reducing the agricultural integrity of the land.
Direction 2 – Promote and grow the agribusiness sector	N/A	N/A
Direction 3 – Expand advanced and value-added manufacturing	N/A	N/A
Direction 4 – Promote business activities in industrial and commercial areas	Forest Hill is not noted as an industrial precinct. Parcel A is removed from the industrial and commercial operations along Victoria Avenue and as such no industrial or commercial zoned land is proposed in Parcel A.	Forest Hill is not noted as an industrial precinct, however it is located close to Wagga Wagga Airport and supporting industrial uses. Provision of industrial land will allow airport related industry to expand.
Direction 5 – Support the growth of the health and aged care sectors	Seniors Housing and Health Service Facilities are permitted with consent in the R1 zone.	Health Service Facilities are permitted with consent in the R5 zone.
Direction 6 – Promote the expansion of education and training opportunities	N/A	N/A
Direction 7 – Promote tourism opportunities	N/A	N/A

Table 14 Riverina Murray Regional Plan

Goal	Parcel A Comment	Parcel B Comment
Direction 8 – Enhance the economic self-determination of Aboriginal communities	N/A – the land is not local Aboriginal Land Council landholdings.	N/A – the land is not local Aboriginal Land Council landholdings.
Direction 9 – Support the forestry industry	N/A	N/A
Direction 10 – Sustainably manage water resources for economic opportunities	N/A – Planning Proposal stage only	N/A – Planning Proposal stage only
Direction 11 – Promote the diversification of energy supplies through renewable energy generation	N/A – Planning Proposal stage only.	N/A – Planning Proposal stage only.
Direction 12 – Sustainably manage mineral resources	Consultation to be undertaken through the assessment process with NSW Department of Industry (Division of Resources and Energy) regarding mineral and energy resources.	Consultation to be undertaken through the assessment process with NSW Department of Industry (Division of Resources and Energy) regarding mineral and energy resources.
Goal 2 – A healthy environment with pristine waterways		
Direction 13 – Manage and conserve water resources for the environment	No natural waterways are located in the RE1 zone	The proposal retains natural waterways and manmade dams within the proposed RE1 land.
Direction 14 – Manage land uses along key river corridors	N/A – the site is not located along a key river corridor.	N/A – the site is not located along a key river corridor.
Direction 15 – Protect and manage the region's many environmental assets	The site contains PTC 277 Yellow Box – Red River Gum Tall Grassy Riverina Woodland of NSW Southwestern Slopes Bioregion and Riverina Bioregion. Where possible this has been retained within the proposed RE1 land. An initial BDAR has been prepared and some offsets are required for removal of vegetation.	The site contains PTC 277 Yellow Box – Red River Gum Tall Grassy Riverina Woodland of NSW Southwestern Slopes Bioregion and Riverina Bioregion. Where possible this has been retained within the proposed RE1 zoned land and further retention is possible within the proposed R5 lands. An initial BDAR has been prepared and some offsets are required for removal of vegetation. Waterways have been protected and retained in the RE1 proposed land.
Direction 16 – Increase resilience to natural hazards and climate change	The site will be remediated where required. The flood affected land to the northwest does not form part of this proposed rezoning except for a minor area where the land will be re-engineered to manage the flood constraint. Bushfire APZ's will be required at future development stage.	The site will be remediated where required. Bushfire APZ's will be required at future development stage.
Goal 3 – Efficient transport and infrastructure networks		
Direction 17 – Transform the region into the eastern seaboard's freight and logistics hub	N/A	N/A
Direction 18 – Enhance road and rail freight links	N/A	N/A
Direction 19 – Support and protect ongoing access to air travel	The proposal to rezone land for residential is not incompatible with existing surrounding land uses. The addition of RE1 land and inclusion in the indicative concept plan for active travel links provides alternate access to the airport.	The proposal to rezone land for residential and industrial uses is not incompatible with existing surrounding land uses of Wagga Wagga Airport. The addition of RE1 land and inclusion in the indicative concept plan for active

Table 14 Riverina Murray Regional Plan

Goal	Parcel A Comment	Parcel B Comment
		travel links provides alternate access to the airport.
Direction 20 – Identify and protect future transport corridors	The proposal does not affect any identified future transport corridors.	The proposal does not affect any identified future transport corridors.
Direction 21 – Align and protect utility infrastructure investment	Forest Hill is transitioning and growing as a residential area. Utility infrastructure is available in the local area. Augmentation of these services would require further investigation at future DA stages.	Forest Hill is transitioning and growing as a residential area. Utility infrastructure is available in the local area. Augmentation of these services would require further investigation at future DA stages.
Goal 4 – Strong connected and healthy communities		
Direction 22 – Promote the growth of regional cities and local centres	The indicative concept plan has been prepared in accordance with the Active Travel plan, providing for future pathways, cycleways and bus routes, which will help connect Forest Hill to the regional centre of Wagga Wagga.	The indicative concept plan has been prepared in accordance with the Active Travel plan, providing for future pathways, cycleways and bus routes, which will help connect Forest Hill to the regional centre of Wagga Wagga.
Direction 23 – Build resilience in towns and villages	The proposal assists in building resilience in towns by retaining a separate RU1 lot for flood affected land and flood storage for the area.	The proposal assists in building resilience in towns by retaining natural waterways.
Direction 24 – Create a connected and competitive environment for cross-border communities	N/A	N/A
Direction 25 – Build housing capacity to meet demand	Future subdivision will be staged and constructed based on demand for housing needs in the Forest Hill area.	Future subdivision will be staged and constructed based on demand for housing needs in the Forest Hill area.
Direction 26 – Provide greater housing choice	The proposed zones allow for future housing choice by providing general residential lots.	The proposed zones allow for future housing choice with large lot residential (with minimum lot sizes of 2,000m ² and 4,000m ²).
Direction 27 – Manage rural residential development	The northwest of site is proposed to remain RU1. No future development is proposed in this area in the concept plan	A mix of 2,000sqm and 4,000sqm lots provides rural residential development as a transition between general residential lots to rural lot.
Direction 28 – Deliver healthy built environments and improved urban design	The proposed RE1 zone together with the existing disused rail lines allows for open spaces to support physical activity, including future walking and cycling tracks.	The proposed RE1 zone together with the existing disused rail lines allows for open spaces to support physical activity, including future walking and cycling tracks.
Direction 29 – Protect the region's Aboriginal and historic heritage	An AHIMS search identified Nine (9) recorded sites. An ACHAR will be required with any future DA.	No recorded Aboriginal sites are located within Parcel B.

Community Strategic Plan 2040

The Community Strategic Plan defines how the community wants Wagga Wagga to grow into the future and outlines five (5) strategic directions for the city, being, community leadership and collaboration, safety and health, growing economy, our identity and sense of place and our environment as shown in **Table 15**.

Table 15 Community Strategic Plan 2040

Principle	Consistency Parcel A	Consistency Parcel B
Community leadership and collaboration		
We have strong leadership	Not relevant to the Planning Proposal	Not relevant to the Planning Proposal
We are active community members	Not relevant to the Planning Proposal	Not relevant to the Planning Proposal
We are informed and involved in decision making	Not relevant to the Planning Proposal	Not relevant to the Planning Proposal
City of Wagga Wagga services reflect the needs of the community	Not relevant to the Planning Proposal	Not relevant to the Planning Proposal
Safe and healthy community		
We are safe	Not relevant to the Planning Proposal	Not relevant to the Planning Proposal
We promote a healthy lifestyle	Parcel A includes recreational land. Travel link encourages active transport.	Parcel B includes recreational land. Travel link encourages active transport.
We have access to health and support services that cater for all our needs	Parcel A is located within the vicinity of health services in the Wagga Wagga region	Parcel B is located within the vicinity of health services in the Wagga Wagga region
Growing economy		
We are a regional capital	<p>The Planning Proposal will provide additional housing as an extension to the existing Forest Hill suburb consistent with the objective of increasing the regional city's population.</p> <p>The proposed concept plan provides street widths that accommodate public transport and pathway/ cycleways in accordance with the Active Travel Plan.</p>	<p>The Planning Proposal will provide additional housing and a transition from the existing Forest Hill residential development and Parcel A, to rural lands consistent with the objective of increasing the regional city's population.</p> <p>Inclusion of industrial lands offers opportunity for future local businesses.</p> <p>The proposed concept plan provides street widths that accommodate public transport and pathway/ cycleways in accordance with the Active Travel Plan.</p>
There is growing investment in our community	N/A	N/A
We are a tourist destination	N/A	N/A
We are a centre for education and training	N/A	N/A
We have employment opportunities	Through future development of the site employment opportunities will arise through the future construction of the subdivision and housing and maintenance of public recreation land.	Through future development of the site employment opportunities will arise in the industrial zoned land and through the future construction of the subdivision and housing and maintenance of public recreation land.
We are a hub for activity	N/A	N/A
Community place and identity		
We are proud of where we live and our identity	Retention of vegetation protects natural resources. The proposed recreation land will provide open space within the neighbourhood and create an identity for the neighbourhood.	Retention of vegetation and natural waterways protects natural resources. The proposed recreation land will provide open space within the neighbourhood and create an identity for the neighbourhood.

Table 15 Community Strategic Plan 2040

Principle	Consistency Parcel A	Consistency Parcel B
We have opportunities to connect with others	N/A	N/A
The environment		
We plan for the growth of the city	The site is not located within the city; therefore, no medium or high-density residential areas are proposed. The Planning Proposal will provide for additional growth as an extension to the existing Forest Hill suburb consistent with the vision to grow the city.	The site is not located within the city; therefore, no medium or high-density residential areas are proposed. The Planning Proposal will provide for additional growth as an extension to the existing Forest Hill suburb, with rural residential lots in an area close to employment and education consistent with the vision to grow the city.
We protect and enhance our natural areas	Vegetation is protected within the proposed RE1 zoned land.	Vegetation is protected within the proposed RE1 zoned land.
We create and maintain a functional, attractive and health promoting built environment	The proposed RE1 zone protects the natural environment which contains vegetation.	The proposed RE1 zone protects the natural environment which contains vegetation and natural waterways.
We create a sustainable environment for future generations	Any contamination found to be on site will be remediated.	Any contamination found to be on site will be remediated.

Spatial Plan 2013 / 2043 (superseded by LSPS)

The subject land was previously identified within the Spatial Plan as being located within the Forest Hill and Gumly Gumly suburb and sits within the urban containment line. The northern section of the site was nominated for urban development and part of the southern section of the site was nominated for employment lands as numbered 8 and 16 in **Figure 27**.

In reference to the Spatial Plan, the proposed zoning plan and concept plan proposes

- Parcel A - R1 General residential in the sections nominated as potential urban land (Area "8"); and
- Parcel B - IN1 General industrial, R5 Large Lot residential and RE1 Public recreation in the area nominated as Potential Employment land (Area "16") reflective of its riparian and vegetation constraints and to act as a transition between the R1, IN1 lands and existing rural lands.

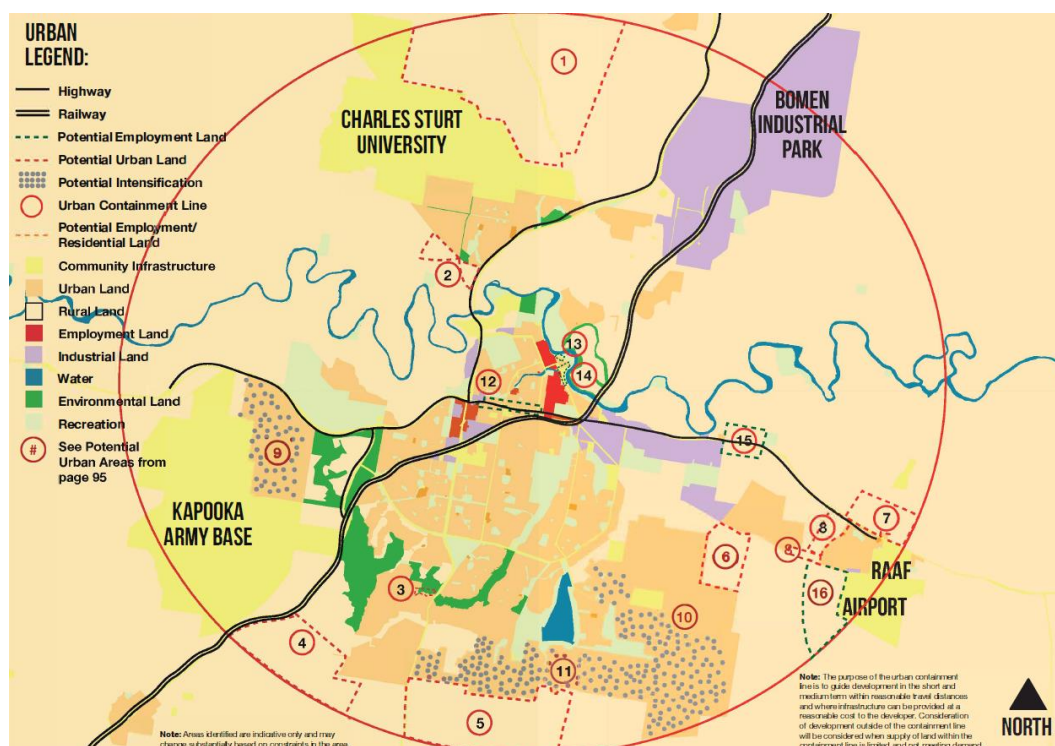


Figure 27 Development Potential Wagga Wagga

Recreation, Open Space and Community Strategy & Implementation Plan 2040

The Recreation, Open Space and Community Strategy 2040 (ROSC) aims to develop a connected and liveable city. The ROSC provides strategic direction for the planning, development, management and use of community spaces over the next 20 years.

The ROSC considers public spaces holistically across the LGA as well as in nine urban precincts and nine rural villages. Separate Action Plans have been developed for all Precincts and Villages in order to address the needs and desires of each community.

Five (5) key themes emerged from community engagement and consultation; these are addressed in **Table 16**.

Table 16 ROSC Key Themes		
Key Theme	Parcel A Comment	Parcel B Comment
Increase the activation of public spaces Providing appropriate infrastructure, public spaces and community facilities will enable a wide variety of events and activities to be held	Proposed RE1 land will enable future activities such as cycling, passive recreation and picnics within the public areas.	Proposed RE1 land will enable future activities such as cycling, passive recreation and picnics within the public areas.
Improve accessibility and connection Accessibility and connection will be improved across the city and will become a key consideration in all future developments and redevelopments of public spaces	The indicative concept plan has been prepared in accordance with the Active Travel Plan and provides for pathways and cycleways within proposed public spaces and the proposed street network.	The indicative concept plan has been prepared in accordance with the Active Travel Plan and provides for pathways and cycleways within proposed public spaces and the proposed street network.
Improve existing assets to maximise utilisation 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	N/A	N/A

Table 16 ROSC Key Themes

Key Theme	Parcel A Comment	Parcel B Comment
Improve community health Community infrastructure and public spaces will be designed in order to improve community health outcomes	Future discussions with Council will take place prior to Submission of Development Applications regarding the proposed public open spaces.	Future discussions with Council will take place prior to Submission of Development Applications regarding the proposed public open spaces.
Collaborate where possible Partnerships will be sought to ensure the efficient provision of community infrastructure and public spaces.	Future discussions with Council will take place prior to Submission of Development Applications regarding the proposed public open spaces.	Future discussions with Council will take place prior to Submission of Development Applications regarding the proposed public open spaces.

Integrated Transport Strategy and Implementation Plan 2040

‘The Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040 is a blueprint for transport that offers real choices for people, and reflects the needs and expectations of our community, and best practice for a regional city expected to grow beyond a population of 80,000 in the next 20 years’.

This Strategy and Implementation Plan addresses six key areas; integrated land use, parking, freight and logistics, road network, active travel and public transport, refer **Table 17**

Table 17 Integrated Transport Strategy and Implementation Plan Themes and Objectives

Theme and/ or objective	Parcel A Comment	Parcel B Comment
Integrated Land Use		
ILU1 - Regional Planning for economic development ILU1.4 Become a smart city by integrating technology with public transport, roads and related infrastructure and parking.	The indicative concept plan allows for expansion of public transport bus routes.	The indicative concept plan allows for expansion of public transport bus routes.
ILU2 - Strategic Planning ILU2.2 Ensure that future residential growth is connected to sufficient road networks to minimise congestion on key corridors. ILU2.3 Ensure that pedestrians and active travel modes are a priority in all future infill and greenfield development. ILU2.4 Ensure that private vehicles are not the only form of transport to be connected in Wagga Wagga	The proposed road network within the indicative concept plan integrates with the surrounding road network. The indicative concept plan has been prepared to be consistent with the Active Travel Plan and provides for pathways and cycleways.	The proposed road network within the indicative concept plan integrates with the surrounding road network. The indicative concept plan has been prepared to be consistent with the Active Travel Plan and provides for pathways and cycleways.
ILU3 - Northern Growth Area	N/A	N/A
ILU4 - CBD Precinct	N/A	N/A
ILU5 - Health Precinct	N/A	N/A
Parking		
P1 - Parking area classification scheme and hierarchy Residential Development	N/A – Applicable at future DA stage	N/A – Applicable at future DA stage

Table 17 Integrated Transport Strategy and Implementation Plan Themes and Objectives

Theme and/ or objective	Parcel A Comment	Parcel B Comment
Accommodate parking demand off-street for new development outside centres		
Provide on-street parking on at least one side of the road in new development areas away from centres		
P2 - Supply of off-street parking	N/A	N/A
P3 - Capacity of off-street parking	N/A	N/A
P4 - Short Stay Parking	N/A	N/A
P5 - Specialty Parking		
PK5.1 Provide adequate specialty parking such as loading zones, bus stops, taxi ranks, car share schemes or parking for people with disabilities.	N/A – Applicable at future DA stage	N/A – Applicable at future DA stage
Freight and Logistics		
F1 - Freight movement	N/A	N/A
F2 - Bomen intermodal destination hub	N/A	N/A
F3 - Freight interchange	N/A	N/A
Road Network		
RN1 - Road Hierarchy		
RN3.1 Implement an efficient road network.	The proposed road network within the indicative concept plan is consistent with the surrounding road network.	The proposed road network within the indicative concept plan is consistent with the surrounding road network.
RN2 - Corridor planning	N/A	N/A
RN3 - Network efficiency		
RN3.1 Implement an efficient road network.	N/A – Applicable at future DA stage	N/A – Applicable at future DA stage
RN4 - Street Design		
RN4.1 Develop street design initiatives that reflect and support specific road requirements.	NA – Applicable at future DA stage	N/A – Applicable at future DA stage
Active Travel		
AT1 – Cycling		
AT1.3 Implement commuter link along rail corridor from CBD to Forest Hill.	The rail corridor forms part of the active travel link in the indicative concept plan.	The rail corridor forms part of the active travel link in the indicative concept plan.
AT2 - Pedestrian movements		
AT2.1 Prioritise pedestrian movements over other transport modes in high pedestrian activity areas.	The indicative concept plan has been prepared to be consistent with the Active Travel Plan and provides for pathways and cycleways.	The indicative concept plan has been prepared to be consistent with the Active Travel Plan and provides for pathways and cycleways.
AT3 - End of trip facilities	N/A	N/A
AT4 - Active travel	The indicative concept plan has been prepared to be consistent	The indicative concept plan has been prepared to be consistent with

Table 17 Integrated Transport Strategy and Implementation Plan Themes and Objectives

Theme and/ or objective	Parcel A Comment	Parcel B Comment
AT4.3 Provide safe routes for children to walk and ride to school through introduction of wider footpaths	with the Active Travel Plan and provides for pathways and cycleways.	the Active Travel Plan and provides for pathways and cycleways.
AT5 – Programs		
AT5.1 Use walking and cycling programs to encourage more people to use active transport.	N/A – To be further investigated at future DA Stage	N/A – To be further investigated at future DA Stage
AT6 - Priority for people		
AT6.1 Prioritise people and pedestrian movement.	The indicative concept plan has been prepared to be consistent with the Active Travel Plan and provides for pathways and cycleways.	The indicative concept plan has been prepared to be consistent with the Active Travel Plan and provides for pathways and cycleways.
Public Transport		
PT1 - Public Transport		
PT1.7 Develop and implement Regional Airport Master Plan, investigate the surrounding road network, and protect the flight path from the impact of future residential development.	The airport masterplan is in preparation stage. The proposed road network within the indicative concept plan is consistent with that within the Brunslea Park Estate.	The airport masterplan is in preparation stage. The proposed road network within the indicative concept plan is consistent with that within the Brunslea Park Estate
PT2 - Taxi Demand	N/A	N/A
PT3 - Transport interchange	N/A	N/A
PT4 - Bus Network		
PT4.6 Ensure all new suburban release areas identify major transport routes and corridors to link efficiently with existing network.	The indicative concept plan has been designed to accommodate a bus route through the site from Mangrove Crescent, which can continue through Parcel B to Inglewood Road or return through Lacebark Drive or Hazelwood Drive to Elizabeth Avenue.	The indicative concept plan has been designed to accommodate a bus route through the site, from Inglewood Road and continues through to Parcel A.
PT5 - Event Transport	N/A	N/A

Biodiversity Strategy Maldhangilanha 2020-2030

This Strategy is a ten-year document that outlines the legislative framework associated with biodiversity conservation, internal and external policy context, key threatening processes, threatened species within the Wagga Wagga LGA, connecting biodiversity areas, strategic objectives and actions and monitoring and reporting.

Parcel A

The proposal seeks to retain vegetation within the proposed RE1 zoned land.

Parcel B

The proposal seeks to retain natural waterways and vegetation within the proposed RE1 zoned land.

6.5.2 Question 4 – Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040

The Wagga Wagga LSPS was adopted by Council on 8 February 2021.

Whilst the subject land is not identified in the LSPS as residential land, there is a clear indication that development of the land would be orderly development as it would connect the residential lands north and east and west of the site. The LSPS plan in **Figure 28** notes to

encourage compatible industry use to the west of the airport which the concept plan/ proposed zoning map achieves with the use of the IN1 zone.

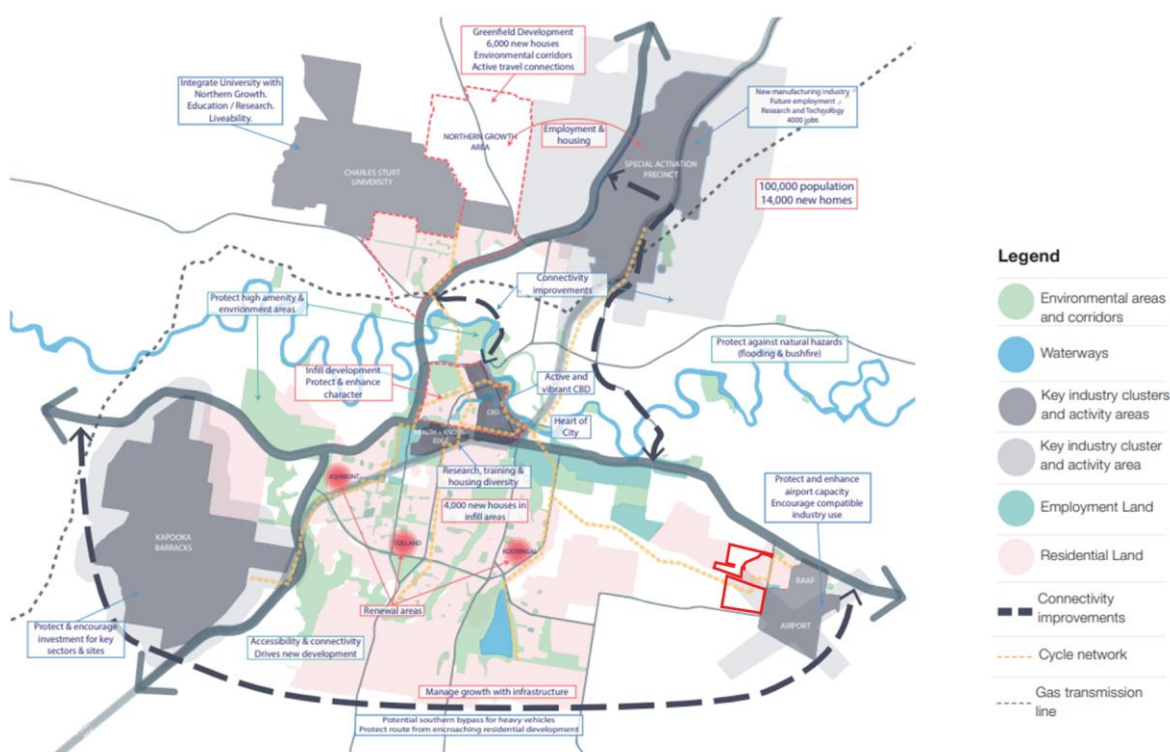


Figure 28 LSPS Plan

The LSPS 'snapshot' of Wagga Wagga identifies a population growth of 31,438 by 2038.

The LSPS identifies 11 principles for the growth of Wagga Wagga as identified and assessed in **Table 18**:

Table 18 Wagga Wagga LSPS		
Principle	Parcel A - Consistency	Parcel B - Consistency
Environment		
Principle 1: Protect and Enhance natural areas and corridors	The proposal retains stands of existing vegetation in the proposed RU1 zone and RE1 zones.	The proposal retains stands of existing vegetation and waterways/ open space in the proposed RE1 zones. The proposed R5 zone has been designed (through minimum lot sizes) to provide further opportunities to retain vegetation.
Principle 2: Increase reliance to natural hazards and land constraints	The proposal retains vegetation within the proposed RU1 and RE1 zones. Flood prone land is proposed to remain RU1 with no additional development opportunities proposed as part of this Planning Proposal.	The proposal retains the natural waterways and some vegetation within the proposed RE1 zones.
Principle 3: Manage growth sustainability	The proposal allows for growth of the area with the market demand and housing choice.	The proposal allows for growth of the area with the market demand and housing choice of larger lot sizes.

Table 18 Wagga Wagga LSPS

Principle	Parcel A - Consistency	Parcel B - Consistency
Growing Economy		
Principle 4: The southern capital of New South Wales	The addition of residential lots will assist in increasing the residential accommodation offerings within Wagga Wagga.	The addition of large residential lots will assist in increasing the residential accommodation offerings within Wagga Wagga. Additional industrial lands will boost the local economy through additional employment opportunities.
Principle 5: Encourage and support investment	N/A	Industrial lands adjoining the airport will support the needs of the airport and increase employment opportunities within the region.
Principle 6: Connected and accessible city	The proposal connects residential development to the east and west of the site. Travel links are also proposed throughout the proposed concept plan directly connecting with Parcel A as identified in the Active Travel Plan.	The proposal provides a transition from residential to the north and rural to the south. Travel links are also proposed throughout the proposed concept plan as identified in the Active Travel Plan.
Principle 7: Growth is supported by sustainable infrastructure	<p>Principle 7 states “<i>Growth in areas not identified for growth in this plan will be considered based on the principles of this plan, specifically service provision, connectivity, and accessibility</i>”.</p> <p>The overall site is identified in the Active Travel Plan with walkways and cycleways traversing the site.</p> <p>The proposed RE1 zone retains vegetation on the land, whilst the overall development provides connectivity between constructed and approved residential developments to the east and west of Parcel A. Services are available in the vicinity of the subject land.</p>	<p>Principle 7 states “<i>Growth in areas not identified for growth in this plan will be considered based on the principles of this plan, specifically service provision, connectivity, and accessibility</i>”.</p> <p>The overall site is identified in the Active Travel Plan with walkways and cycleways traversing the site.</p> <p>The proposed RE1 zone retains vegetation and natural waterways on the land, whilst Parcel B provides transition between constructed and approved residential developments to the north and existing rural properties to the south. Services are available in the vicinity of the subject land.</p>
Community Place and Identity		
Principle 8: Our city promotes a healthy lifestyle	The overall site is within 15 minutes from Wagga Wagga CBD and proposes additional residential and recreation land. The proposal offers future opportunity of housing choice and public/ open spaces. Parcel A's location on the Forest Hill Link (as shown in the Active Travel Plan) will connect the site with the other cycle paths planned or proposed in the urban areas of Wagga Wagga.	The overall site is within 15 minutes from Wagga Wagga CBD and proposes large lot residential, industrial and recreation land. The proposal offers future opportunity of housing choice and public/ open spaces. Parcel B's location on the Forest Hill Link (as shown in the Active Travel Plan) will connect the site with the other cycle paths planned or proposed in the urban areas of Wagga Wagga.
Principle 9: High quality public spaces with an engaging urban character	N/A	N/A
Principle 10: Provide for a diversity of housing that meets our needs	The proposal will allow for future diversity of housing through the provision of R1 zoned land.	The proposal will allow for future diversity of housing through the provision of R5 zoned land with varying minimum lot sizes.
Principle 11: Strong and resilient rural and village communities	N/A	N/A

6.5.3 Question 5 – Is the planning proposal consistent with applicable State Environmental Planning Policies?

A checklist of all SEPPs is provided in **Appendix 1** which identifies which SEPPs are relevant to this Planning Proposal. The relevant SEPPs are discussed in turn below

NSW Department of Planning, Infrastructure and Environment (DPIE)

Heritage Act 1977

The *Heritage Act 1977* contains provisions relating to the protection of items of State heritage significance or items of potential significance.

No items or places of heritage significance are listed as being located on either Parcel A or Parcel B.

National Parks and Wildlife Act 1974 (NPW Act)

The NPW Act contains provisions relating to the protection of native terrestrial fauna, flora and Endangered Ecological Communities (EEC) and contains the primary statutory controls relating to Aboriginal heritage in NSW.

Section 90 of the NPW Act have been considered in the body of this assessment.

A preliminary Aboriginal Heritage Assessment was prepared by NGH and covered both Parcel A and Parcel B, which indicates based on previous archaeological investigations, it is likely the site will contain low density artefact scatters and isolated artefacts produced with quartz, likely found in both surface and subsurface deposits, to a depth of 15 to 25cm within compact reddish-brown silty loam on basalt, as well as ridge crest landforms that are associated with potable water.

An ACHAR will be required to be submitted with any future Development application.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Section 2.121 of SEPP (Transport and Infrastructure) 2021 relates to traffic generating development and Schedule 3 of the SEPP identifies the types of traffic generating development to be referred to Roads and Maritime Services (RMS) now known as Transport for NSW (TfNSW). Schedule 3 includes 'development for any other purpose which generates 200 or more vehicles per hour'. The proposed development falls into this category.

Section 2.121 only relates to the determination of DAs. Nevertheless, it is expected that the planning proposal will be referred to the RMS and the consideration of traffic impacts on the road network has been considered in the Traffic Assessment prepared by ARC Traffic and Transport.

Overhead powerlines traverse the site in an east-west direction in Parcel A. Chapter 2, Part 2,3, Division 5 of SEPP (Transport and Infrastructure) 2021 relates to electricity transmission or distribution networks and contains provisions relating to exempt development, development without consent and notification requirements for certain works. The provisions primarily relate to works that might be carried out relating to this infrastructure and is not a matter relevant to the planning proposal.

State Environmental Planning Policy (Resilience and Hazards) 2021

SEPP (Resilience and Hazards) 2021 applies to the state and is relevant to the planning proposal. this application. Chapter 4 – Remediation of Land is relevant. Section 4.1 sets out the objects of the policy:

- (1) *The object of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land.*
- (2) *In particular, this Policy 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:*
 - (a) *by specifying when consent is required, and when it is not required, for a remediation work, and*

- (b) *by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
- (c) *by requiring that a remediation work meet certain standards and notification requirements.*

A Preliminary and Detailed Site Investigation has been prepared by EMM as per Council's comments which has been discussed in **Section 5.3** of this report. The potential areas of environmental concern in Parcel B, identified by EMM can be readily managed through the future DA process.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This SEPP has amalgamated the following SEPPs and REPs into one SEPP:

- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- SEPP (Koala Habitat Protection) 2020;
- SEPP (Koala Habitat Protection) 2021;
- Murray REP No. 2 – Riverine Land
- State Environmental Planning Policy No. 19 – Bushland in Urban Areas;
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011;
- State Environmental Planning Policy No. 50 – Canal Estate Development;
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment;
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997);
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

Neither Parcel A or Parcel B are in proximity to the Sydney Water drinking catchment, canal estate development, Georges River catchment, Hawkesbury-Nepean River, Sydney Harbour Catchment or Willandra Lakes. The site does not adjoin bushland reserved for a public purpose. The Initial Biodiversity Assessment by NGH notes the presence of Koala's on the site is absent and the likelihood is unlikely. This Planning Proposal does not seek any clearing of vegetation. Any vegetation removal will be undertaken at future subdivision stage, which will require a BDAR for removal of some PCT 277. Where possible the indicative concept plan has retained PCT 277 within the proposed RE1 Public Recreation zoned land with additional retention opportunities within the proposed R5 Large Lot Residential zoned land.

It is considered that this Planning Proposal satisfactorily considers related matters of environmental impact and drainage.

6.5.4 Question 6 – Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 directions)?

A checklist of all section 9.1 Directions is provided in **Appendix 2** which identifies which local planning directions are relevant to this Planning Proposal. The relevant Directions are discussed in Error! Reference source not found..

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
Focus area 1: Planning Systems		
<p>Implementation of Regional Plans</p> <p>Objective The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>Application This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning.</p> <p>Direction 1.1 (1) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.</p> <p>Consistency A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that: (a) the extent of inconsistency with the Regional Plan is of minor significance, and (b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions.</p>	<p>Refer to Section 6.5.1 of this Planning Proposal for assessment against Riverina Murray Regional Plan 2036</p>	<p>Refer to Section 6.5.1 of this Planning Proposal for assessment against Riverina Murray Regional Plan 2036</p>
<p>1.3 Approval and Referral Requirements</p> <p>Objective The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>Application This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>Direction 1.3 (1) A planning proposal to which this direction applies must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: i. the appropriate Minister or public authority, and ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and (c) not identify development as designated development unless the relevant planning authority: i. can satisfy the Planning Secretary (or an officer of the Department nominated by the</p>	<p>This Planning Proposal does not include any proposed provisions requiring referrals or concurrences.</p> <p>No new provisions requiring concurrence, consultation or referral are proposed in the planning proposal.</p>	<p>This Planning Proposal does not include any proposed provisions requiring referrals or concurrences.</p> <p>No new provisions requiring concurrence, consultation or referral are proposed in the planning proposal.</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>Secretary) that the class of development is likely to have a significant impact on the environment, and</p> <p>ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>Consistency A planning proposal must be substantially consistent with the terms of this direction. Note: In this direction “public authority” has the same meaning as section 1.4 of the EP&A Act.</p>		
<p>1.4 Site Specific Provisions</p> <p>Objective The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>Application This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <p>Direction 1.4 (1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p> <p>Consistency A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance</p>	<p>Parcel A does not include any proposed site or development specific provisions.</p>	<p>Site specific provisions may be introduced to Parcel B to mitigate any future impacts of ANEF contours from Wagga Wagga Airport.</p>
Focus area 2: Planning Systems – Place based - N/A		
Focus area 3: Design and Place	<i>Blank when directions were made</i>	
Focus area 3: Biodiversity and Conservation - N/A		
Focus area 4: Resilience and Hazards		

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>4.1 Flooding</p> <p>Objectives The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land. <p>Application This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>Direction 4.1 (1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. <p>(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</p> <p>(3) A planning proposal must not contain provisions that apply to the flood planning area which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency 	<p>The proposed residential zone in Parcel A is located outside of the flood prone land to the north, north-west of the site. It is recommended that Flood Certificates be obtained from Council at future Development Application stage to determine which lots are required to be constructed 500mm above the 1 in 100 flood planning level.</p>	<p>N/A to Precinct B</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or</p> <p>(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</p> <p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p> <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:</p> <p>(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or</p> <p>(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the Floodplain Development Manual 2005 or</p> <p>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or</p> <p>(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</p>		

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>4.3 Planning for Bushfire Protection</p> <p>Objectives The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) encourage sound management of bush fire prone areas. <p>Application This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land. This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the EP&A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.</p> <p>Direction 4.3 (1) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made. (2) A planning proposal must:</p> <ul style="list-style-type: none"> (a) have regard to Planning for Bushfire Protection 2019, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ). <p>(3) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, 	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect or is in proximity to land mapped as bushfire prone land.</p> <p>The site is not mapped as being affected by bushfire; however, a Bushfire assessment was prepared by NGH and recommends Asset Protection Zones of 10 and 11m.</p> <p>A revised APZ will be required should Parcel A proceed only.</p>	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect or is in proximity to land mapped as bushfire prone land.</p> <p>The site is not mapped as being affected by bushfire; however, a Bushfire assessment was prepared by NGH and recommends Asset Protection Zones of 10 and 11m.</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p> <p>Consistency A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.</p>		
<p>4.4 Remediation of Contaminated Land</p> <p>Objective The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities</p>	<p>Contamination has been considered as part of this planning proposal. The potential areas of environmental concern identified by EMM can be readily managed through future DA process.</p> <p>The site can be made suitable for residential use.</p>	<p>Contamination has been considered as part of this planning proposal. The potential areas of environmental concern identified by EMM can be readily managed through future DA process.</p> <p>The site can be made suitable for residential use.</p>
Focus area 5: Transport and Infrastructure		
<p>5.2 Reserving Land for Public Purposes</p> <p>Objectives The objectives of this direction are to: (a) facilitate the provision of public services and facilities by reserving land for public purposes, and (b) facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	<p>1.64ha is proposed as public recreation land.</p>	<p>12.9ha is proposed as public recreation land.</p>
<p>5.3 Development Near Regulated Airports</p> <p>Objectives The objectives of this direction are to: (a) ensure the effective and safe operation of regulated airports and defence airfields; (b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and (c) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>Application This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p> <p>Direction 5.3 (1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</p>	<p>This planning proposal has been prepared with the ANEF contours available to date. The subject land is not affected by ANEF contours; however, it is understood that a draft airport masterplan is being prepared which may alter the ANEF contours.</p> <p>It is considered unlikely that if the ANEF contours were revised that they would impact Parcel A.</p> <p>As per previous DAs, conditions can be imposed at subdivision DA stage to mitigate airport noise on future development</p>	<p>This planning proposal has been prepared with the ANEF contours available to date. The subject land is not affected by ANEF contours; however, it is understood that a draft airport masterplan is being prepared which may alter the ANEF contours.</p> <p>In the event the ANEF contours are expanded, Parcel B and subsequent proposed zones have been adjusted from earlier proposals to include only large lot residential (R5 zone) and Industrial land uses (IN1 zone). This will limit the number of lots impacted, if any, should the revised ANEF contours impact Parcel B of the site.</p> <p>Site specific controls can be conditioned to mitigate</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>(a) consult with the lessee/operator of that airport;</p> <p>(b) take into consideration the operational airspace and any advice from the lessee/operator of that airport;</p> <p>(c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(d) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</p> <p>(b) for land affected by the prescribed airspace (as defined in clause 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>(3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</p> <p>(a) consult with the Department of Defence if:</p> <ul style="list-style-type: none"> i. the planning proposal seeks to exceed the height provisions contained in the Defence Regulations 2016 – Defence Aviation Areas for that airfield; or ii. no height provisions exist in the Defence Regulations 2016 – Defence Aviation Areas for the airfield and the proposal is within 15km of the airfield. <p>(b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airfield.</p> <p>(4) A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land:</p> <ul style="list-style-type: none"> (a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or 		<p>airport noise on future development such as meeting acoustic requirements of applicable Australian Standards (e.g. acoustic insulation) or , increase of minimum lot size in areas mapped with a specified certain ANEF contours to reduce the number of dwellings affected.</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>(c) for commercial or industrial purposes where the ANEF is above 30.</p> <p>(5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</p> <p>Consistency A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <ul style="list-style-type: none"> i. gives consideration to the objectives of this direction; and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction; or</p> <p>(c) in accordance with the relevant Regional Plan prepared by the Department of Planning and Environment which gives consideration to the objectives of this direction.</p>		
Focus area 6: Housing		
<p>6.1 Residential Zones</p> <p>Objectives The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) encourage a variety and choice of housing types to provide for existing and future housing needs, (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) minimise the impact of residential development on the environment and resource lands. <p>Direction 6.1 (1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. <p>(2) A planning proposal must, in relation to land to which this direction applies:</p>	<p>Provision of R1 land provides future housing stock within Forest Hill.</p> <p>The subject land adjoins existing development and land undergoing residential construction to the east and north-east.</p>	<p>Provision of R5 zoned land with differing minimum lot sizes provides housing choice within Forest Hill.</p> <p>The subject land adjoins existing development and land undergoing residential construction to the north and rural properties to the south.</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>Consistency A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
Focus area 7: Industry and employment		
<p>7.1 Business and Industrial Zones</p> <p>Objectives The objectives of this direction are to:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified centres.</p> <p>Direction 7.1 (1) A planning proposal must:</p> <p>(a) give effect to the objectives of this direction,</p> <p>(b) retain the areas and locations of existing business and industrial zones,</p> <p>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</p> <p>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</p> <p>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary.</p> <p>Consistency</p>	N/A	The proposal includes 3.5ha of IN1 zoned land, providing further employment opportunities within Forest Hill.

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
Focus area 8: Resources and energy - N/A		
Focus area 9: Primary Production		
<p>9.1 Rural Zones</p> <p>Objective</p> <p>The objective of this direction is to protect the agricultural production value of rural land.</p> <p>Application</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>Direction (1)(a) applies to all relevant planning authorities.</p> <p>Direction 9.1</p> <p>(1) A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p>	<p>The proposal seeks to rezone rural land to residential and recreational land, whilst also retaining some rural land.</p> <p>This is supported by the Local Planning Strategic Study through Principle & which states <i>"Growth in areas not identified for growth in this plan will be considered based on the principles of this plan, specifically service provision, connectivity, and accessibility"</i>.</p> <p>The site is accessible from Brunslea Park Estate, is identified in the Active Travel Plan with walkways and cycleways traversing the site and has access to services from neighbouring developments.</p>	<p>The proposal seeks to rezone rural land to large lot residential, recreational and industrial land.</p> <p>This is supported by the Local Planning Strategic Study through Principle & which states <i>"Growth in areas not identified for growth in this plan will be considered based on the principles of this plan, specifically service provision, connectivity, and accessibility"</i>.</p> <p>The site is accessible from Inglewood Road and Parcel A, is identified in the Active Travel Plan with walkways and cycleways traversing the site and has access to services from neighbouring developments.</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>		
<p>9.2 Rural Lands</p> <p>Objective</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (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) minimise 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. <p>Application</p> <p>This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the Greater Sydney Commission Act 2015) other than Wollondilly and Hawkesbury, that:</p> <ul style="list-style-type: none"> (a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or (b) changes the existing minimum lot size on land within a rural or conservation zone. <p>Direction 9.2</p> <p>(1) A planning proposal must:</p> <ul style="list-style-type: none"> (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement (b) consider the significance of agriculture and primary production to the State and rural communities 	<p>The site is partly used for grazing, however the proposal to rezone the land for future development is considered orderly development as it provides connectivity between two existing residential areas.</p>	<p>The site is partly used for grazing, however the proposal to rezone the land for future development is considered orderly development as it provides a transition between general residential areas (including Parcel A) and existing rural/ agricultural properties.</p> <p>Part of the land was previously used a localised tip site, which may have localised contamination, reducing the agricultural integrity of the land.</p> <p>The provision of R5 zoned land provides a transition between standard residential lots and existing rural landholdings to the south of Inglewood Road.</p>

Table 19 Section 9.1(2) Directions

Direction	Parcel A Response	Parcel B Response
<p>(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</p> <p>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</p> <p>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</p> <p>(f) support farmers in exercising their right to farm</p> <p>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use</p> <p>(h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary Production) 2021 for the purpose of ensuring the ongoing viability of this land</p> <p>(i) consider the social, economic and environmental interests of the community.</p> <p>(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</p> <p>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</p> <p>(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</p> <p>(c) where it is for rural residential purposes:</p> <ol style="list-style-type: none"> is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres is necessary taking account of existing and future demand and supply of rural residential land. <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary and is in force which:</p> <ol style="list-style-type: none"> gives consideration to the objectives of this direction, and identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) is of minor significance.</p>		

6.6 Section C – Environmental, Social and Economic Impact

6.6.1 Question 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?

Parcel A

Much of the site has already been cleared. Areas in Parcel A that have been verified as having high ecological value, including endangered communities have been retained where possible within the proposed RE1 and RU1 zones. A BDAR will be required at future Development Application stage.

The draft zoning plan has regard for these biodiversity constraints and opportunities including:

- The primary constraint area of vegetation in Parcel A would be retained in the RE1 Public Recreation zone and RU1 Primary Production zone.

Parcel B

Much of the site has already been cleared. Areas in Parcel B that have been verified as having high ecological value, including endangered communities have been retained where possible within the proposed RE1 zone and increased with the introduction of large lot residential land to facilitate further tree retention with future large lot residential development in the R5 zone. The ecological communities will be enhanced by the rehabilitation of riparian corridors. A BDAR will be required at future Development Application stage.

The draft zoning plan has regard for these biodiversity constraints and opportunities including:

- A broad riparian corridor would be retained along creek lines within the site.
- The primary constraint area of vegetation in Parcel B would be retained in the RE1 Public Recreation zone, including natural waterways.
- Additional vegetation can be retained and incorporated into future development in the R5 zone land.

6.6.2 Question 8 – Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

In addition to the ecological effects, **Section 5** of this report has addressed the other potential environmental effects including:

- Traffic Impact and Parking;
- Contamination;
- Stormwater and Flooding;
- Bushfire;
- Acoustic;
- Heritage;
- Aboriginal Cultural Heritage; and
- Infrastructure Services.

Refer to relevant discussion in **Section 5**.

6.6.3 Question 9 – Has the planning proposal adequately addressed any social and economic effects?

Parcel A

This Planning Proposal provides social and economic benefits through the provision of land for housing stock and open space.

Employment opportunities at future development application stages are anticipated from construction of infrastructure, buildings and maintenance of public recreation lands.

Social benefits to the public include the future provision of active transport in the form of pedestrian and cycleway networks.

Parcel B

This Planning Proposal provides social and economic benefits through the provision of land for varying housing stock land sizes, employment land and open space.

Employment opportunities at future development application stages are anticipated from construction of infrastructure, buildings and long-term employment opportunities within the industrial area once constructed.

Rehabilitation of riparian areas offers both employment opportunities and social benefits to the public through the future provision of active transport in the form of pedestrian and cycleway networks and maintenance of the recreation land.

6.7 Section D – State and Commonwealth Interests

6.7.1 Question 10 – Is there adequate public infrastructure for the planning proposal?

Parcel A

Surrounding residential development is serviced by public infrastructure. Future development will require expansion to the sewer infrastructure, drinking water system and other infrastructure services.

Power lines traverse the land in an east-west direction.

Parcel B

Surrounding residential development, industrial and commercial premises are serviced by public infrastructure. Future development will require expansion to the sewer infrastructure, drinking water system and other infrastructure services.

6.7.2 Question 11 – What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

This Planning Proposal will require public notification. Relevant government authorities will be notified during the exhibition period.

6.8 Part 4 – Mapping (section 3.33(2)(d))

Current and proposed land zoning maps and minimum lots size maps are shown in **Figure 29 to Figure 32**. Maps illustrate how both Parcel A and Parcel B interact with neighbouring zones and lot sizes.

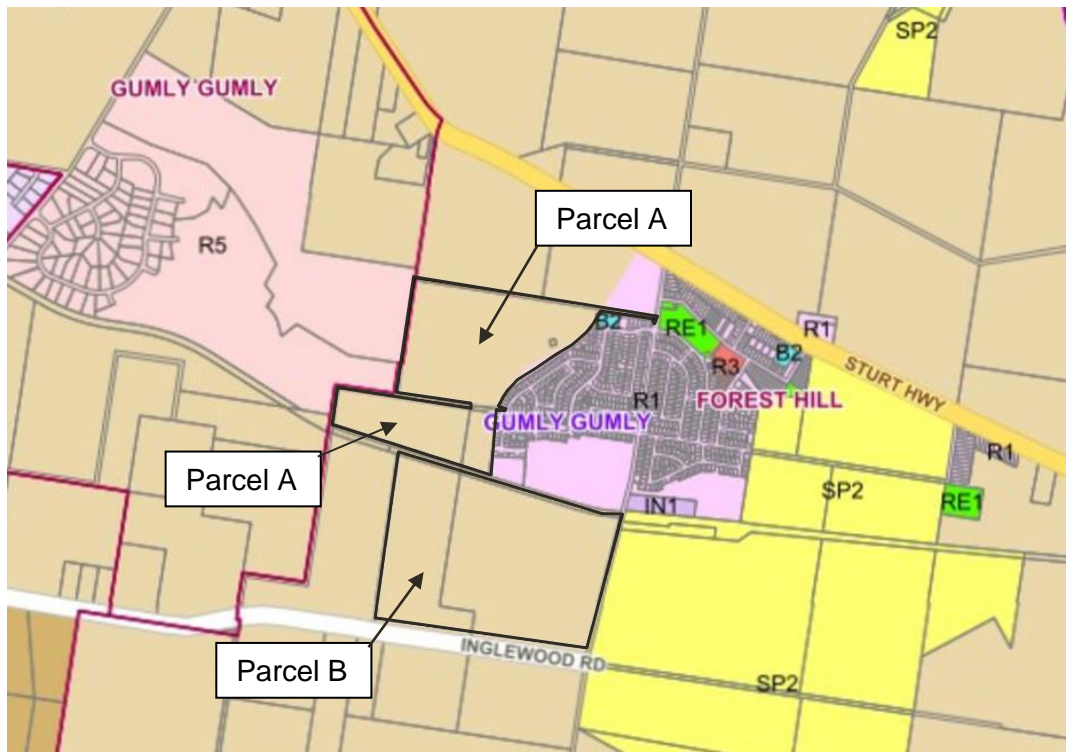


Figure 29 Current Zoning Map

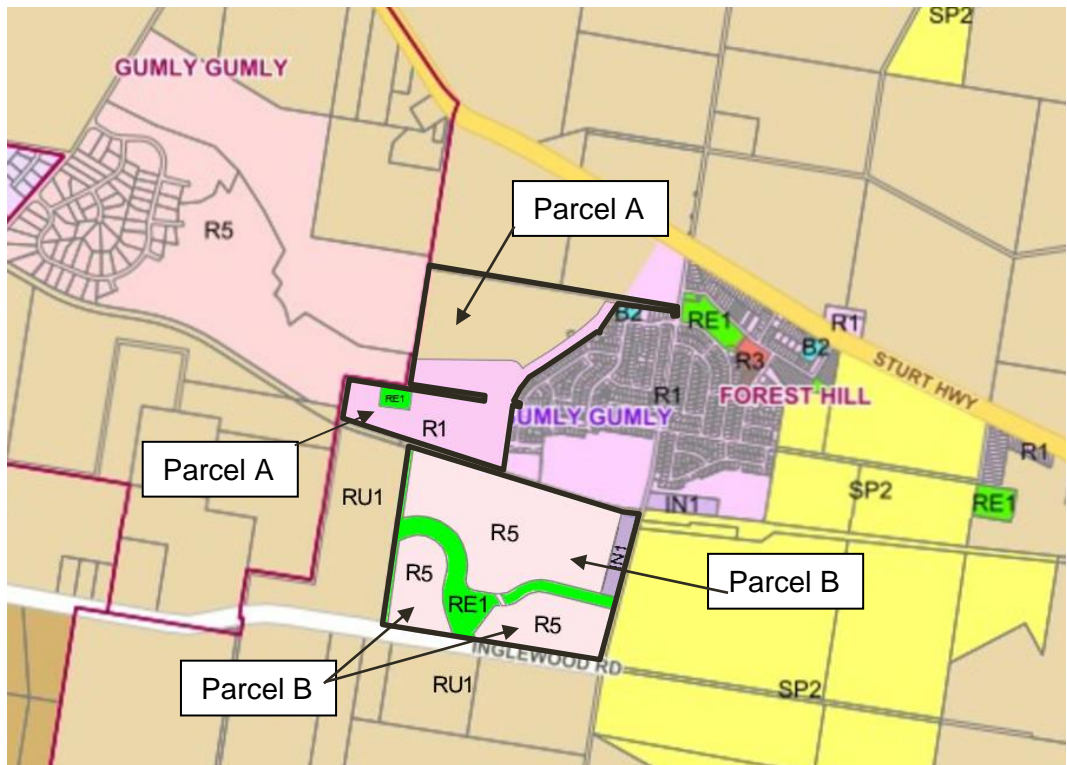


Figure 30 Proposed Combined Zoning Map

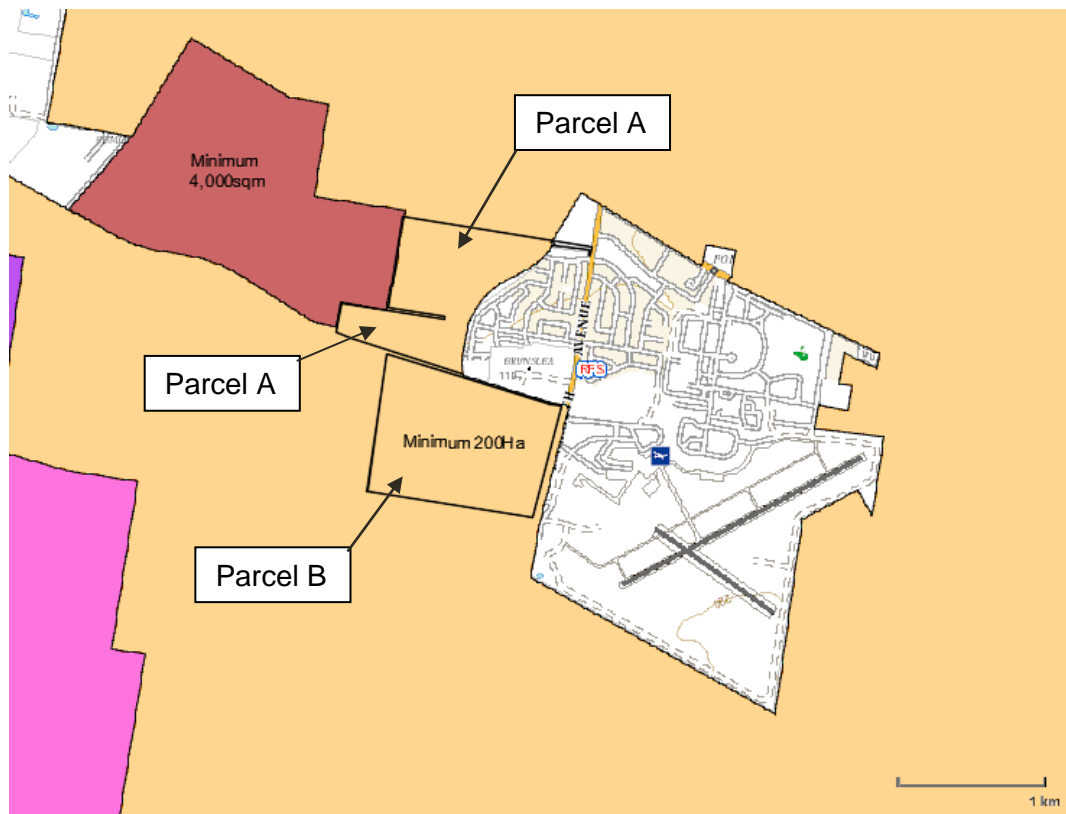


Figure 31 Current Minimum Lot Size Map

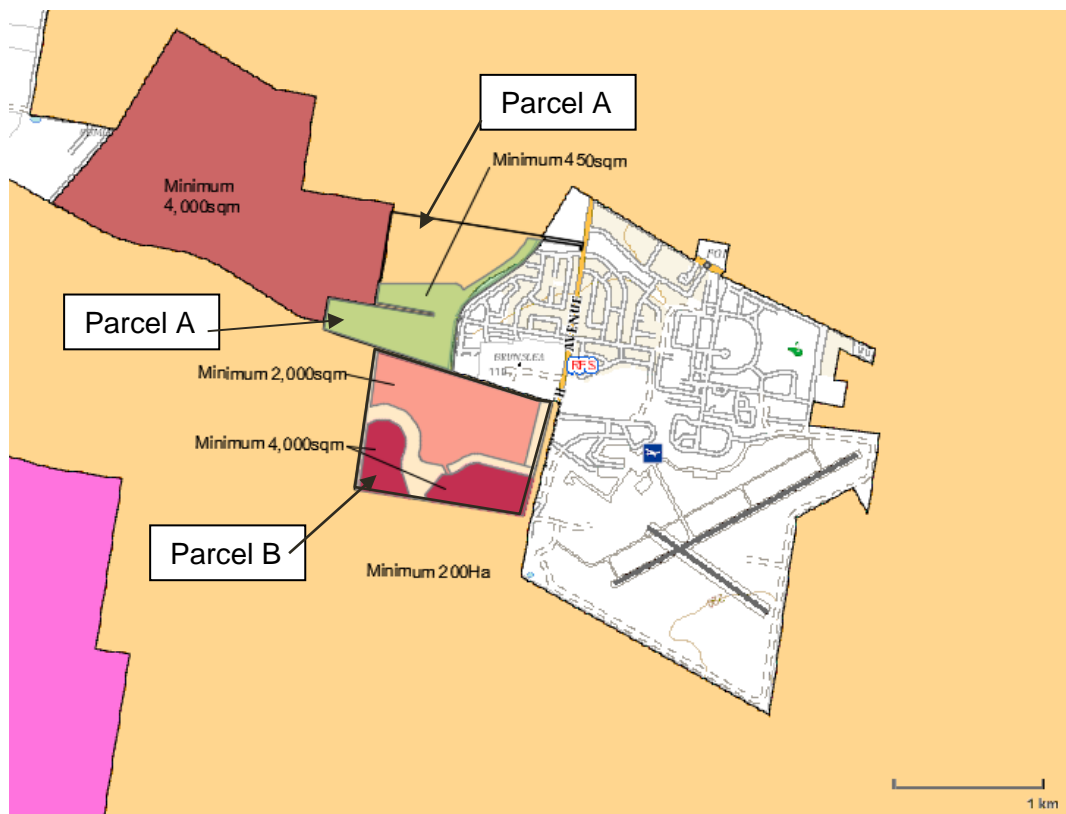


Figure 32 Proposed Combined Minimum Lot Size Map

6.9 Part 5 - Community Consultation (section 3.33(2)(e))

Community consultation will be undertaken by Council as part of the Planning Proposal process.

6.10 Part 6 – Project Timeline

The timeline for assessment, consultation and determination of this Planning Proposal will be for Council and DPIE to determine however, we consider that it should be possible to expedite this Planning Proposal.

7 Conclusion

This Planning Proposal has been prepared on behalf of Wakefield Ashurst Development P/L and seeks to amend Wagga Wagga Local Environmental Plan 2010 to amend the land zoning and minimum lot size map, over Parcel A at 50 Inglewood Road (part lot), 146 Inglewood Road (Part Lot), (Lot 2 DP 1077748) Paperbark Drive and 20 Mangrove Crescent, Forest Hill, and Parcel B at 50 Inglewood Drive (Part lot), Forest Hill.

The proposed amendments of the WWLEP 2010 will result in a mix of:

Parcel A

- RU1 Primary Production;
- R1 General Residential; and
- RE1 Public Recreation.

Parcel B

- R5 Large Lot Residential;
- RE1 Public Recreation; and
- IN1 General Industrial.

This report and accompanying material have been prepared in accordance with section 3.33 of the EP&A Act and relevant Departmental guidance.

This report concludes that the proposal:

- is consistent with the Riverina Murray Regional Plan 2036
- is consistent with the Wagga Wagga Community Strategic Plan 2040
- is consistent with the Wagga Wagga Local Strategic Planning Statement, and
- is generally not inconsistent with relevant SEPPs and section 9.1 Directions.

Accordingly, we recommend that Council endorse this Planning Proposal and forward it to the Minister for Gateway Approval.

State Environmental Planning Policies

The following table provides a checklist of the relevant SEPPs applying to the land or the Planning Proposal. Discussion of the SEPPs relevant to the Planning Proposal is provided in Section 6.5.3 of the Planning Proposal report.

Table 20 Consistency with applicable State Environmental Planning Policies		
SEPP	Consolidated SEPP	Relevant to Planning Proposal
SEPP (Exempt and Complying Development Codes) 2008		No
SEPP (Design and Place) 2021	SEPP (Building Sustainability Index: BASIX) 2004	No
	SEPP No 65 – Design Quality of Residential Apartment Development	No
SEPP (Housing) 2021	SEPP (Affordable Rental Housing) 2009	No
	SEPP (Housing for Seniors and People with a Disability) 2004	No
	SEPP 70 – Affordable Housing	No
	SEPP 21 Caravan Parks	No
	SEPP 36 Manufactured Home Estates	No
SEPP (Planning Systems) 2021	SEPP (State and Regional Development) 2011	No
	SEPP (Aboriginal Land) 2019	No
	SEPP (Concurrences and Consents) 2018	No
SEPP (Industry and Employment) 2021	SEPP (Western Sydney Employment Area) 2009	No
	SEPP 64 – Advertising and Signage	No
SEPP (Biodiversity and Conservation) 2021	SEPP (Vegetation in non-rural areas) 2017	No
	SEPP (Koala Habitat Protection) 2020	No
	SEPP (Koala Habitat Protection) 2021	No
	Murray REP No 2 – Riverine Land	No
	SEPP 19 (Bushland in Urban Areas)	No
	SEPP 50 (Canal Estate Development)	No
	SEPP (Sydney Drinking Water Catchment) 2011	No
	SREP 20 (Hawkesbury Nepean River (no2 – 1997))	No

Table 20 Consistency with applicable State Environmental Planning Policies

SEPP	Consolidated SEPP	Relevant to Planning Proposal
	SREP (Sydney Harbour Catchment) 2005	No
	Greater Metropolitan REO No 2 – Georges River Catchment	No
	Willandra Lakes REP No 1 – World Heritage Property	No
SEPP (Transport and Infrastructure) 2021	SEPP (Infrastructure) 2007	Yes
	SEPP (Educational Establishments and Childcare Facilities) 2017	No
	SEPP (Major Infrastructure Corridors) 2020	No
	SEPP (Three Ports) 2013	No
SEPP (Industry and Employment) 2021	SEPP (Western Sydney Employment Area) 2009	No
	SEPP 64 – Advertising and Signage)	No
SEPP (Primary Production) 2021	SEPP (Primary Production and Rural Development) 2019	No
	Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) (Central Coast Plateau SREP)	No
SEPP (Resilience and Hazards) 2021	SEPP (Coastal Management) 2018	No
	SEPP 33 – Hazardous and Offensive Development	No
	SEPP 55 – Remediation of Land	Yes
SEPP (Resources and Energy) 2021	SEPP (Mining and Petroleum Production and Extractive Industries) 2007	No
	Sydney Regional Environmental Plan No 9 – Extractive Industries (No-2 – 1995)	No
SEPP (Precincts – Eastern Harbour City) 2021 (Eastern Harbour City SEPP)	SEPP (State Significant Precincts) 2005	No
	Darling Harbour Development Plan No. 1	No
	Sydney Regional Environmental Plan No 26 – City West	No
	Sydney Regional Environmental Plan No 16 – Walsh Bay	No

Table 20 Consistency with applicable State Environmental Planning Policies

SEPP	Consolidated SEPP	Relevant to Planning Proposal
	Sydney Regional Environmental Plan No 33 – Cooks Cove	No
	SEPP No 47 – Moore Park Showground	No
SEPP (Precincts – Central River City) 2021 (Central River City SEPP)	SEPP (State Significant Precincts) 2005	No
	SEPP (Sydney Region Growth Centre) 2006	No
	Sydney Regional Environmental Plan 24 – Homebush Bay Area	No
	SEPP (Kurnell Peninsula) 1989	No
	SEPP (Urban Renewal) 2010	No
SEPP (Precincts – Western Parkland City) 2021 (Western Parkland City SEPP)	State (Significant Precincts) 2005	No
	SEPP (Sydney Region Growth Centre) 2006	No
	SEPP (Western Sydney Aerotropolis) 2020	No
	SEPP (Penrith Lakes Scheme) 1989	No
	Sydney Regional Environmental Plan No 30 – St Marys	No
	SEPP (Western Sydney Parklands) 2009	No
SEPP (Precincts – Regional) 2021 (Regional SEPP)	State (Significant Precincts) 2005	No
	SEPP (Aviation Precincts) 2005	No
	SEPP (Kosciuszko National Park – Alpine Resorts) 2007	No
	SEPP (Gosford City Centre) 2018	No

Directions under section 9.1

The following table provides a checklist of the relevant section 9.1 Directions. Discussion of the section 9.1 Directions relevant to the Planning Proposal is provided in **Section 6.5.4** of the Planning Proposal report.

Table 21 Compliance with Section 9.1 Directions		
Direction	Relevant to Parcel A	Relevant to Parcel B
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	Yes
1.2 Development of Aboriginal Land Council land	No	No
1.3 Approval and Referral Requirements	Yes	Yes
1.4 Site Specific Provisions	Yes	Yes
Focus area 1: Planning Systems – Place based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	No	No
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	No
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	No
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Plan	No	No
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	No
1.10 Implementation of the Western Sydney Aerotropolis Plan	No	No
1.11 Implementation of Bayside West Precincts 2036 Plan	No	No
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	No	No
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	No	No
1.14 Implementation of Greater Macarthur 2040	No	No
1.15 Implementation of the Pyrmont Peninsula Place Strategy	No	No
1.16 North West Rail Link Corridor Strategy	No	No
1.17 Implementation of the Bays West Place Strategy	No	No
Focus area 2: Design and Place	Blank	Blank
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	No	No
3.2 Heritage Conservation	No	No
3.3 Sydney Drinking Water Catchments	No	No
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	No	No
3.5 Recreational Vehicle Areas	No	No

Table 21 Compliance with Section 9.1 Directions		
Direction	Relevant to Parcel A	Relevant to Parcel B
Focus area 4: Resilience and Hazards		
4.1 Flooding	Yes	No
4.2 Coastal Management	No	No
4.3 Planning for Bushfire Protection	Yes	Yes
4.4 Remediation of Contaminated Land	Yes	Yes
4.5 Acid Sulfate Soils	No	No
4.6 Mine Subsidence and Unstable Land	No	No
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	No	No
5.2 Reserving Land for Public Purposes	Yes	Yes
5.3 Development near Regulated Airports and Defence Airfields	No	Yes
5.4 Shooting Ranges	No	No
Focus area 6: Housing		
6.1 Residential Zones	Yes	Yes
6.2 Caravan Parks and Manufactured Home Estates	No	No
Focus area 7: Industry and Employment		
7.1 Business and Industrial Zones	No	Yes
7.2 Reduction in non-hosted short-term rental accommodation period	No	No
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	No	No
Focus area 8: Primary Production		
8.1 Mining, Petroleum Production and Extractive Industries	No	No
Focus area 9: Primary Production		
9.1 Rural Zones	Yes	Yes
9.2 Rural Lands	Yes	Yes
9.3 Oyster Aquaculture	No	No
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	No	No

APPENDIX 3 – 10

**REFER TO SEPARATE DOCUMENTS UPLOADED TO
THE PLANNING PORTAL**