



# Addendum to Planning Proposal

(post-request for Gateway Determination)

**Reference**

LEP19/0008

**APPLICATION DETAILS**

<b>Application No.:</b>	LEP19/0008
<b>Date of Lodgement:</b>	28/06/2019
<b>Applicant:</b>	Mo-Ily Holdings
<b>Proposal:</b>	Planning Proposal to amend the Wagga Wagga Local Environmental Plan 2010 by rezoning lands at Lockhart Road and Bristol Street, Collingullie from RU1 Primary Production to RU5 Village and removing minimum lot size requirements applying to the same lands.
<b>Assessment Officer:</b>	Adam Wood
<b>Referrals:</b>	Standard internal referral
<b>Recommendation</b>	Endorse for Gateway Determination

**SITE DETAILS**

<b>Subject Land:</b>	Part of Lot 1 DP 120715 (9 Lockhart Road, Collingullie)
<b>(by effect of addendum)</b>	Part of Lot 39 DP 754561 (9 Lockhart Road, Collingullie)
	Part of Lot 5 DP 833514 (84 Bristol Street, Collingullie)
	Part of Lot 20 DP 843207 (39 Bristol Street, Collingullie)

**DESCRIPTION OF DEVELOPMENT**

Council is in receipt of a planning proposal by Mo-Ily Holdings affecting Lot 1 DP 120715, Lot 39 DP 754561, Lot 5 DP 833514 and Lot 71 DP 1066646 addressing Lockhart Road and Bristol Street in Collingullie.

The planning proposal seeks the rezoning of the subject lands from RU1 Primary Production to RU5 Village. The proposal also includes the removal of the minimum lot size requirement from the subject lands.

Council's assessment of the submitted planning proposal has found need for modification of the planning proposal. This is done in order to ensure the planning proposal responds adequately to pre-existing planning policies and strategies relevant to the location and responds to the requirements of the Environmental Planning and Assessment Act and Regulation. In doing so, the addendum seeks to enhance the long-term land use planning outcomes to result from the planning proposal. By consequence, the addendum also seeks to increase the justification for a favourable Gateway Determination to be provided to the planning proposal. This addendum provides additional information and commentary to that end. It is to be read in conjunction with the originally submitted planning proposal and Council's assessment report.

The effect of this addendum is to alter the extent of the subject land for the planning proposal. It removes some lands from the planning proposal, specifically whole Lot 71 DP 1066646, and part of Lots 1 DP 120715, 39 DP 754561 and 5 DP 833514. No rezoning or removal of minimum lot size requirements is to occur at these locations. The addendum also nominates additional alternative lands as subject lands for this planning proposal. This includes part of Lot 20 DP 843207. This additional subject land will be proposed to receive rezoning from RU1 Primary Production to RU5 Village and have the minimum lot size requirement removed.

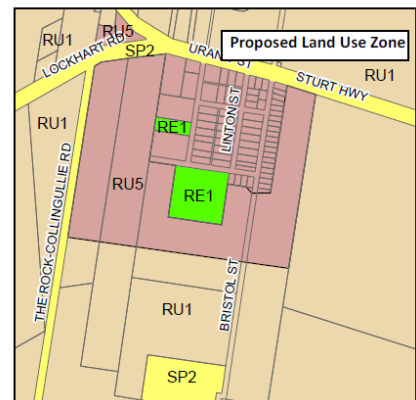
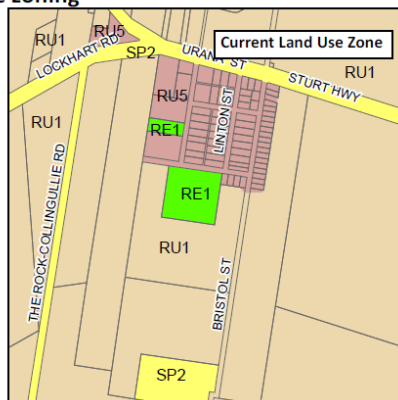
## THE SITE AND LOCATION

Collingullie is one of several existing townships within the Wagga Wagga City Council local government area. The township is located on the Sturt Highway, approximately 25 kilometres west of the Wagga Wagga CBD by road. The township benefits from services including a primary school, supporting infrastructure including sewer and a playing field, in addition to some commercial premises. It is also well-placed to benefit from more expansive public services, higher-order commercial offerings and varied employment opportunities within the nearby Wagga Wagga urban area. Collingullie is included within Wagga Wagga's broad strategic planning direction directing demand for semi-rural and lifestyle residential development towards the peripheral townships and away from the fringe of the city proper.

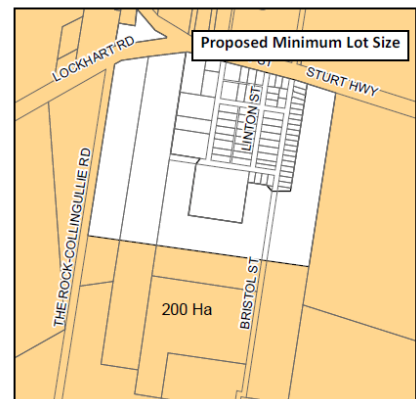
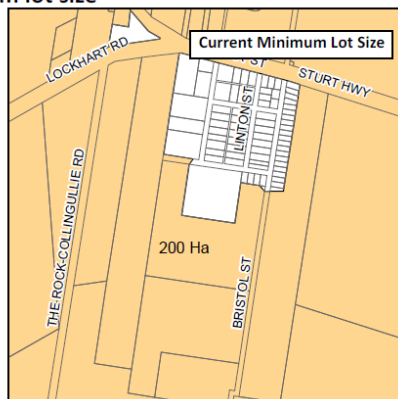
The land under consideration by the planning proposal is located to the immediate south, west and east of the existing footprint of the Collingullie township. As noted by Council's assessment, the subject lands are predominantly flat, consisting of lands historically used for grazing.

As a result of this addendum to the planning proposal, a revised extent of land will now be subject to the planning proposal. This land comprises nearly 37 hectares. The subject land extent is illustrated by the maps below.

LEP19/0008 - Proposed change to land use zoning



LEP19/0008 - Proposed change to minimum lot size



## **PART 3 JUSTIFICATION**

### **Alignment with designated growth area of Collingullie**

The Wagga Wagga Spatial Plan identified an area for the growth of Collingullie. The submitted planning proposal incorporates a portion of this identified growth area, in addition to lands outside of that identified growth corridor. Assessment of the planning proposal has found that this aspect of the planning proposal should be amended.

The planning proposal is assessed for its consistency against endorsed strategic planning directions and documents. The Wagga Wagga Spatial Plan which indicates the growth area for Collingullie is an endorsed document considered in planning proposal assessment. Where the planning proposal seeks the rezoning of lands identified by the Spatial Plan as a growth area for Collingullie it is consistent with endorsed strategic planning directions.

The planning proposal also seeks the rezoning of lands further south of the identified growth area provided by the Spatial Plan. These are the lands including the whole of Lot 71 DP 1066646 and also parts of lots to the southernmost extent of Lot 1 DP 120715, Lot 39 DP 754561 and Lot 5 DP 833514.

Council does not have an endorsed strategy which provides for the growth of Collingullie to this extent. An available justification for rezoning lands to such an extent outside of the identified growth area is not apparent from assessment of the planning proposal. The identified growth corridor for Collingullie represents a substantial increase in the urban footprint of Collingullie. At full development, the growth corridor identified within the Spatial Plan would triple the spatial footprint of the Collingullie village relative to its current size. Adding further lands to this already substantial area does not serve a clear purpose and is not conducive to a clear forward direction for the sequencing of development in Collingullie.

The planning proposal also excludes lands within the growth area for Collingullie at Lot 20 DP 843207 while seeking to include lands outside the identified growth area. It is not in keeping with endorsed planning strategies to proceed with the development of lands outside the identified growth area whilst lands inside the growth area remain undeveloped. Justification for this inconsistency with the strategy for Collingullie is not offered by the planning proposal and assessment is unable to offer support for that outcome.

Inclusion of lands at the southern extent of the area affected by the planning proposal is therefore not supported. The planning proposal is amended by this addendum to exclude the lands to the southern extent of subject land as proposed in submitted documentation. The addendum closely aligns the extent of the subject land with the area represented within the growth area for Collingullie in the Wagga Wagga Spatial Plan. As a result, Lot 71 DP 1066646 and also the southernmost parts of Lot 1 DP 120715, Lot 39 DP 754561 and Lot 5 DP 833514 will not be rezoned and will instead retain RU1 Primary Production zoning and the present 200 hectare minimum lot size applying.

### **Finalisation of forward planning for the Collingullie growth area**

The assessment of the planning proposal against the endorsed Wagga Wagga Spatial Plan given further cause for modification by addendum. As noted in the section above, Lot 20 DP 843207 is within the endorsed growth area for Collingullie indicated in the Wagga Wagga Spatial Plan. Despite this, Lot 20 DP 843207 is not within the subject land for the submitted planning proposal.

As discussed by the previous section, lands at the southern extent of the subject land for the submitted planning proposal are excluded as the justification for rezoning this area is not apparent. This addendum also finds that

The assessment of the planning proposal has found that the planning proposal has the capability to significantly advance planning for the future growth of Collingullie. A large proportion of the area within the identified growth area is set for zoning change, with only a smaller segment of growth corridor lands within Lot 20 DP 843207 excluded.

Assessment also finds that, given the large spatial extent of land within the Collingullie growth corridor to be rezoned, it is appropriate that the planning proposal require some master planning activities be undertaken in conjunction with the planning proposal. This acts to give direction as to how these lands will be developed, rather than providing large areas of zoned land with no meaningful guidance to ensure the eventual land development outcome is sound.

In view of these two factors, this addendum includes the lands at Lot 20 DP 843207 within the subject lands for the planning proposal.

The inclusion of Lot 20 DP 843207 during the conduct of this planning proposal is appropriate and advantageous for the future of Collingullie. The inclusion of these lands means that the entirety of the Collingullie growth area as identified by the Wagga Wagga Spatial Plan will be rezoned in preparation for future growth in a single administrative planning process. This allows the development of Collingullie to continue into the future without the need for Wagga Wagga LEP 2010 planning provisions applying at Collingullie to be revisited again in the foreseeable future.

As noted the planning proposal has been found to require supporting master planning actions to inform the future sequencing and specification of development to take place. It is appropriate that this master planning should include the complete growth area. This provides for an integrated planning outcome for the growth of Collingullie. To ensure that all of the growth corridor is included in this exercise, the addendum also includes Lot 20 DP 843207 in the subject lands for the planning proposal. Under the terms of this addendum, this land will receive RU5 Village zoning and have minimum lot size requirements removed, consistent with the other lands to be affected by the planning proposal.

### **Avoidance of land use conflict**

The subject land for the planning proposal as submitted directly adjoins Council sewerage treatment infrastructure servicing the township of Collingullie. This infrastructure is located at Lot 72 DP 1066646 on Bristol Street south of the existing village of Collingullie. The submitted planning proposal specifically includes Lot 71 DP 1066646 which directly adjoins the sewerage treatment plant to the direct north and west. Other lands within the subject land area proposed by the applicant are also in relatively close proximity to the treatment plant.

A sewerage treatment plant is a land use with significant potential to cause land use conflicts, particularly as a result of odour emanating from the plant in the ordinary course of its operations.

To minimise the potential for future land use conflict, the planning proposal gives effect to an effective 400 metre buffer around the sewerage treatment plant. This addendum removes lands within a 400 metre radius of Lot 72 DP 1066646 from the subject land for the planning proposal. The reasoning by which a 400 metre radius has been chose is detailed at greater length in the assessment report for the planning proposal. The effect is to remove Lot 71 DP 1066646 and also the southernmost parts of Lot 1 DP 120715, Lot 39 DP 754561 and Lot 5 DP 833514 from the planning proposal. This planning proposal seeks to provide for the future growth and ongoing sustainability of the Collingullie

village and community. A potential outcome in which land use conflict complicates ongoing development and diminishes the quality of life for future Collingullie residents does not support this outcome. On the contrary, it is likely that this would actively undermine Collingullie's ability to offer an attractive location for rural residential lifestyle development. The 400 metres provided allows a precautionary approach to the matter of odour risk, allowing a responsive design solution to follow as a part of master planning of the Collingullie growth area.

Readers of this document will note that this alignment outcome is similar to that dictated by the other motivating factors for this addendum discussed earlier in this document. The 400 metre exclusion, intended to minimise land use conflict with the sewerage treatment plant, approximately correlates with the border of the growth area for Collingullie in the Wagga Wagga Spatial Plan. This change to the planning proposal accounts for both the need to justify LEP changes against endorsed strategic directions and also for the need to employ a precautionary approach to avoid future land use conflict.

## **PART 5 COMMUNITY CONSULTATION**

Community consultation will be undertaken in accordance with the requirements of any Gateway Determination that is granted.

Consultation will also occur in accordance with Council policy as well as the Gateway determination. Council policy requires a public exhibition period of 28 days and a concurrent 42 day period for making of submissions (commencing on the same date as exhibition).

This addendum document comprises part of the planning proposal for the purposes of public exhibition and community consultation.

## **PART 6 PROJECT TIMEFRAME**

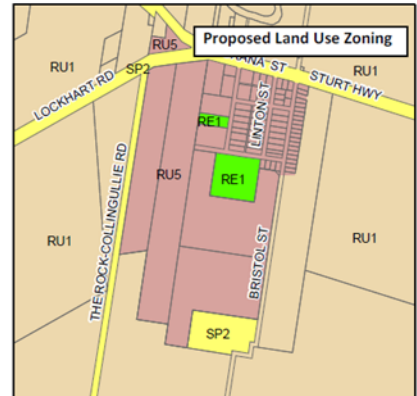
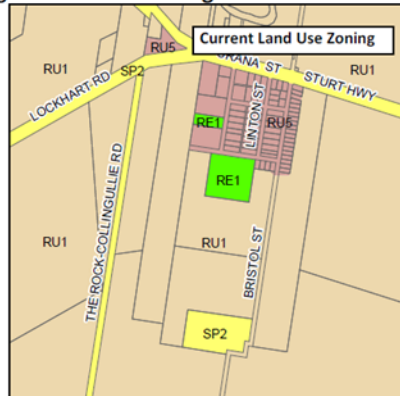
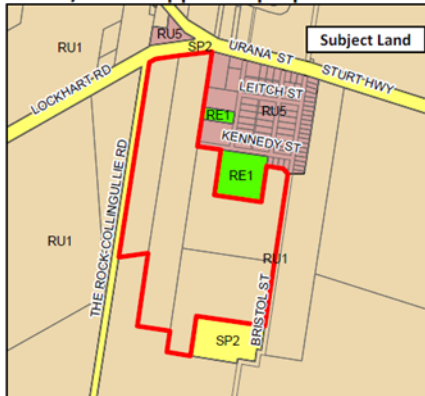
<b>TASK</b>	<b>Anticipated timeframe</b>
Anticipated date of Gateway Determination	December 2020
Anticipated timeframe for completion of required technical information	January 2021 – August 2021
Timeframe for Government agency consultation	January 2021 – August 2021
Commencement and completion dates for public exhibition.	September 2021 – October 2021
Dates for public hearing	N/A
Timeframe for consideration of submissions	November 2021
Timeframe for the consideration of a proposal post exhibition	December 2021
Date of submission to the Department to finalise the LEP	February 2022
Anticipated date RPA will make the plan	March 2022
Anticipated date RPA will forward to the Department for notification	April 2022



## APPENDIX

The previously proposed change to the Wagga Wagga LEP mapping, as per the intent of the applicant's submitted planning proposal, is illustrated below.

### LEP19/0008 - Applicant proposal for change to land use zoning



### LEP19/0008 - Applicant proposal for change to minimum lot size

