



Planning Proposal Assessment Report Lands at Lockhart Road and Bristol Street, Collingullie

APPLICATION DETAILS

Application No.:	LEP19/0008
Date of Lodgement:	28 June 2019
Applicant:	B Jenkins for Mo-Ily Holdings
Proposal:	Amend the land use zone and remove the minimum lot size requirement
Assessment Officer:	Adam Wood, Strategic Town Planner
Referrals:	<u>Internal</u> Standard internal referrals <u>External</u> External consultation will be undertaken as per the requirements of any forthcoming Gateway Determination
Recommendation	That the planning proposal, as modified by Council's addendum, be submitted to the NSW Department of Planning, Industry and Environment for Gateway Determination.

SITE DETAILS

Subject Land:	<u>Included by the submitted planning proposal</u> Lot 1 DP 120715 (9 Lockhart Road, Collingullie) Lot 39 DP 754561 (9 Lockhart Road, Collingullie) Lot 5 DP 833514 (84 Bristol Street, Collingullie) <u>Included by Council addendum</u> Lot 20 DP 843207 (39 Bristol Street, Collingullie) <u>Excluded by Council addendum</u> Lot 71 DP 1066646 (84 Bristol Street, Collingullie)
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DESCRIPTION OF DEVELOPMENT

Council is in receipt of an application to amend the Wagga Wagga Local Environmental Plan 2010 (LEP) as it applies to lands located at Collingullie. The planning proposal seeks to;

- Rezone lands from RU1 Primary Production to R5 Village
- Remove the minimum lot size requirement applying to the same lands

The submitted planning proposal seeks to apply these changes at the following specific locations.

Lot 5 DP 833514 84 Bristol Street, Collingullie

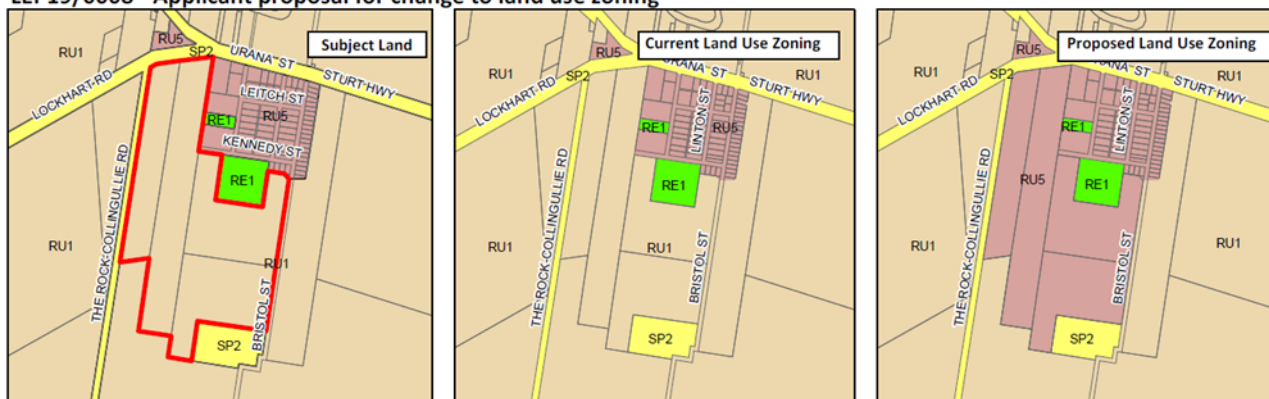
Lot 71 DP 1066646 84 Bristol Street, Collingullie

Lot 39 DP 754561 9 Lockhart Road, Collingullie

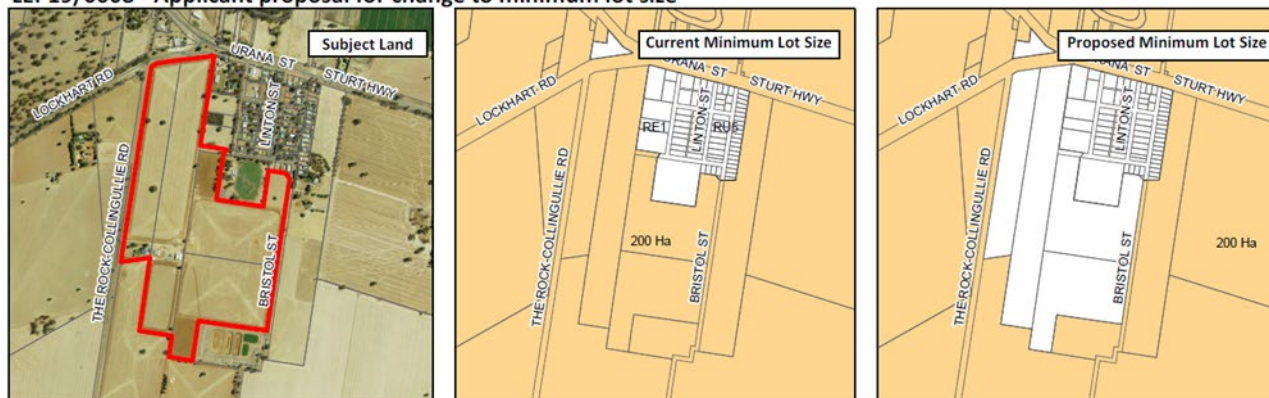
Lot 1 DP 120715 9 Lockhart Road, Collingullie

The planning proposal as submitted by the applicant would involve change to the Wagga Wagga Local Environmental Plan 2010, specifically by amending the land zoning map sheet LZN_001C and the minimum lot size map sheet LSZ_001C as shown below:

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



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



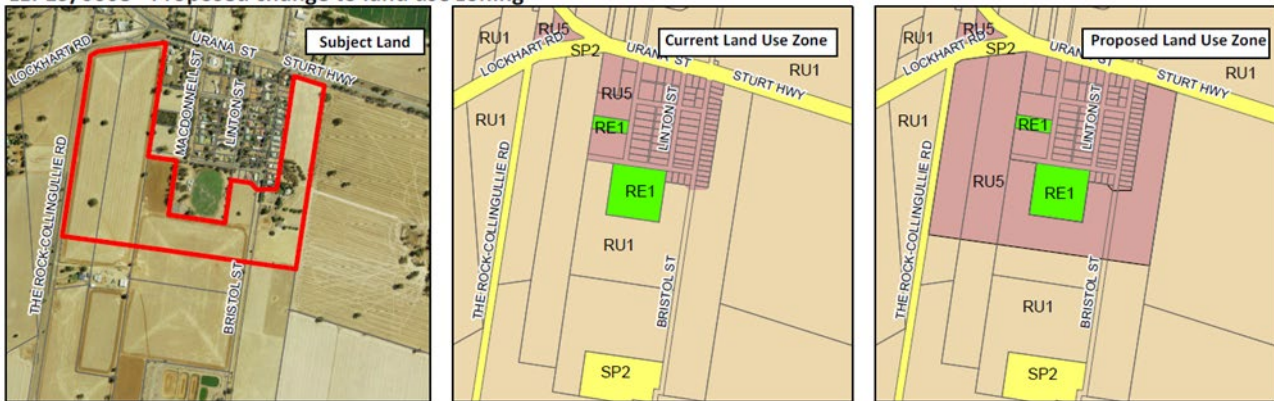
This assessment report examines this change to the Wagga Wagga LEP 2010 to establish its efficacy. The assessment finds that the submitted planning proposal should be modified by a Council

addendum. The reasoning for change to the planning proposal is detailed at length in the later sections of the document.

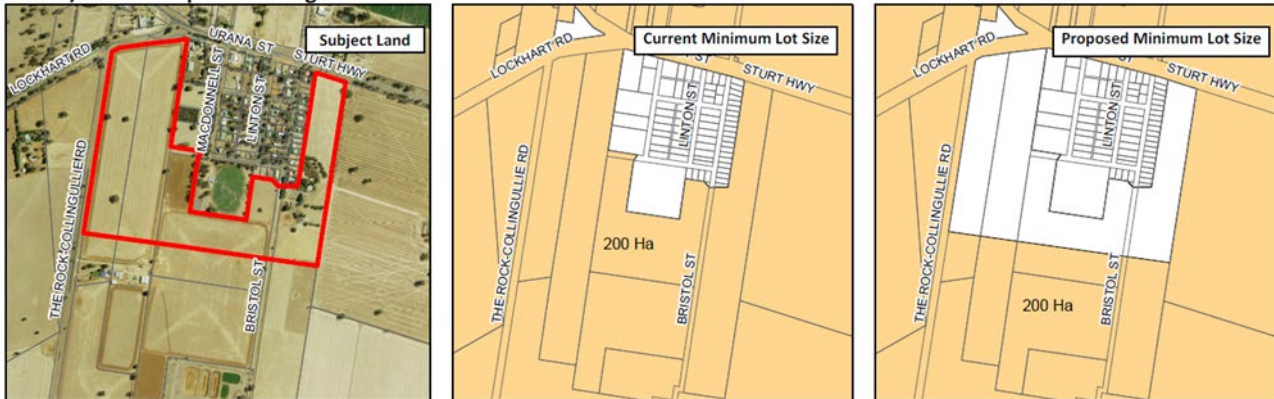
It is recommended that this modification to the planning proposal be included in Council's request for Gateway Determination to the NSW Department of Planning, Industry and Environment. The eventual development outcomes of the planning proposal can be demonstrably improved by a Council addendum. This will substantially improve the chances of a successful outcome for the planning proposal, and significantly reduce the level of complication to complete the remainder of the planning proposal process following success at Gateway Determination.

The addended planning proposal seeks the same changes to the Wagga Wagga LEP 2010 but would apply these changes to a different land area than the applicant submitted proposal. The addended planning proposal will instead change the Wagga Wagga LEP 2010 by amending the land zoning map sheet LZN_001C and the minimum lot size map sheet LSZ_001C as shown below.

LEP19/0008 - Proposed change to land use zoning



LEP19/0008 - Proposed change to minimum lot size



The following lands become the subject lands for the planning proposal, taking this modification of the planning proposal into account:

Part of Lot 5 DP 833514 84 Bristol Street, Collingullie

Part of Lot 39 DP 754561 9 Lockhart Road, Collingullie

Part of Lot 1 DP 120715 9 Lockhart Road, Collingullie

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 the 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 subject lands for the addended planning proposal are located adjacent south and west of the existing township of Collingullie. Collectively these subject lands are almost 37 hectares in size. The lands are largely flat with negligible gradient throughout. The lots are currently zoned RU1 Primary Production. The existing minimum lot size provisions for the subject land area are 200 hectares.

The site has various direct access opportunities at Bristol Street, Urana Street and the western end of the Kennedy Street road reserve. Direct access from classified roads is to be avoided as much as possible, but ample opportunity for access exists via these local roadways as an alternative.

KEY ISSUES

Rural-residential development within Collingullie and other villages

The Wagga Wagga Spatial Plan 2013 provided strategic direction for the growth of rural townships and villages outside of the main urban centre of Wagga Wagga. These locations are the focus areas within the local government area for future provision of semi-rural and rural large lot residential development. Residential development on larger lots is supported as a part of a diverse range of housing types offered in the Wagga Wagga local government area. For many households, a large residential lot in a semi-rural or village setting can offer distinct advantages and satisfy personal needs and preferences better than other types of housing.

To this time, a large proportion of supply large 'lifestyle' housing lots has occurred at the southern fringe of the Wagga Wagga urban area. The Spatial Plan identified that providing these opportunities within townships and villages nearby to Wagga Wagga would provide considerable benefit to both the city and surrounding communities. The redirection of housing demand to villages, including Collingullie, provides ongoing support to these smaller communities within the local government area. This increases the viability of these settlements for the long-term future with services are more likely to be retained in these smaller centres. These positive social and economic effects upon villages are enabled by the rezoning of additional lands for residential purposes.

By contrast, continuing to provide additional opportunities for large lot residential or semi-rural residential at the fringe of the Wagga Wagga urban area is not supported. This type of development in that location creates land use planning complications. This type of development delivered at the urban fringe results in additional demand upon the city's urban infrastructural networks. The efficiency of this type of development for urban infrastructure provision is suboptimal and complicates

the orderly planning and growth of the city through intensification in future. The strategic intent is to make use of demand for this type of residential development to provide positive outcomes at the villages in the local government area. Further placement of this style of development is to be avoided at the edge of Wagga Wagga, in favour of gradual residential intensification as opportune.

In view of these considerations, the rezoning of additional land at Collingullie to RU5 Village is supported in principle by this assessment. The specific changes sought by this planning proposal and their appropriateness are examined in detail in further sections.

Support for this direction for the growth of villages, and for Collingullie specifically, is reaffirmed within the draft Wagga Wagga Local Strategic Planning Statement to be exhibited in the near future. The Wagga Wagga Local Strategic Planning Statement provides strategic direction for future land use planning and development in Wagga Wagga and its local government area. It is the successor to the Wagga Wagga Spatial Plan.

Endorsed growth area for Collingullie

The strategic direction of the Wagga Wagga Spatial Plan and draft Wagga Wagga Local Strategic Planning Statement detailed above provides for the growth of villages generally. In order to support that overall direction, the Spatial Plan then provides additional direction to enable a portion of that growth to take place in Collingullie.

A growth area for the township has been specified within the Spatial Plan. This is illustrated by the Spatial Plan map excerpt provided right of page. As illustrated, this comprises Areas 17 and 21 which were given consideration by the Spatial Plan. Area 17 is of interest to this assessment as it overlaps the subject land area for this planning proposal.



To date Area 17 has not been used for the growth of the Collingullie township. It remains within the RU1 Primary Production zone, with a minimum lot size requirement of 200 hectares applying. The submitted planning proposal provides for rezoning to RU5 Village and removal of minimum lot size requirements of lands included in Area 17. The proposed R5 Village zone and absence of a minimum lot size requirement is reflective of the intent to provide additional semi-rural or rural residential development within Collingullie. This is consistent with the direction provided by the Wagga Wagga Spatial Plan. The lands within both Area 17 of the Wagga Wagga Spatial Plan and the subject land for the planning proposal are the northern parts of Lot 1 DP 120715, Lot 39 DP 754561, Lot 5 DP 833514 and Lot 20 DP 843207.

The submitted planning proposal also seeks the rezoning of lands further south of the identified Collingullie 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's endorsed strategy for the growth of Collingullie does not include this extent of land. A suitable justification for rezoning lands to such an extent outside of the identified growth area is not apparent. The submitted planning proposal notes that Area 17 of the Spatial Plan is an indicative allocation, but this assessment holds that even though 'indicative', Area 17 is substantially different to the subject land area for the submitted version of the planning proposal. It is not a reasonable interpretation of the Wagga Wagga Spatial Plan directions to include the additional lands to the south. Site specific consideration of the lands has also now been provided in this assessment. There exist strong reasons to suggest that extension beyond the nominated Spatial Plan growth area should be avoided at this point in time. These are discussed in greater detail at section 'Land use conflict'. In view of this an addended planning proposal with a subject land area more closely approximating that intended by the Spatial Plan is appropriate.

This assessment also notes that land within Area 17 of the Spatial Plan at Lot 20 DP 843207 is not included by the planning proposal. Lot 20 DP 843207 is closer to the existing footprint and infrastructure of the village than other lands in the submitted planning proposal, providing for an orderly and incremental sequence of development. A strong justification is required to break from the direction of the Wagga Wagga Spatial Plan, not only in excluding these growth area lands, but in replacing them with additional lands outside the nominated growth corridor. This is also not apparent from this assessment of the proposal.

Lot 20 DP 843207 provides a buffer between residential development and agricultural development at the periphery of Collingullie. Gainful use and occupancy of those lands would promote active land management to take place at the interface with rural lands. A subdivision and road layout supportive this outcome will be possible within the land area available. Noting that the Spatial Plan includes Lot 20 DP 843207 as a part of the Collingullie growth area, this assessment finds that an addendum should include the identified extent of this land parcel. This inclusion is advantageous for the future of Collingullie. This 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 planning process. The development of Collingullie may then continue into the future without need for Wagga Wagga LEP 2010 planning provisions applying at Collingullie to be revisited again for the foreseeable future.

In summary, the pre-identified growth corridor for Collingullie already represents a substantial increase in the urban footprint of Collingullie. At full development, the Spatial Plan growth corridor would itself triple the current spatial footprint of the Collingullie village. Adding further lands to the south of this already substantial area does not serve a clear purpose at this point in the township's development and is not conducive to a clear forward direction for development sequencing.

This assessment finds that a modified planning proposal can support the Wagga Wagga Spatial Plan through growth of housing provision in the villages and Collingullie, ensuring the alignment of the proposal with endorsed planning strategy. This informs the addendum to the planning proposal to exclude Lot 71 DP 1066646 and the southernmost parts of Lot 1 DP 120715, Lot 39 DP 754561 and Lot 5 DP 833514, whilst including the northern part of Lot 20 DP 843207.

Land use conflict

The planning proposal would permit development of the subject land for residential purposes. Whilst the RU5 Village zone technically allows for a range of land uses, it is foreseeable that the most prolific within this zone at Collingullie will be residential development. Residential development is a sensitive land use prone to land use conflict.

The submitted planning proposal has suggested the rezoning of lands to RU5 Village directly adjoining the site of the sewage treatment plant south of Collingullie. The proposal notes the requirement for a land use buffer between new residential development and the sewage treatment plant and suggests a buffer distance of 400 metres be installed concurrently to rezoning for this purpose.

The planning proposal does not submit or reference modelling or other technical analyses to determine a safe distance between new residential development and the Collingullie sewage treatment plant. Current planning directions do not specify an assumed safe distance to negate emissions impacts from sewer treatment plants. Contemporary practice in regard to sewer-residential land use conflict is to optimise a design response by incorporating meteorological conditions, topography and other aspects specific to the local scenario.

In the absence of this site-specific information and analysis, this assessment has reverted to the recommendation of former Planning Circular E3, issued by the then-NSW Department of Urban Affairs and Planning. This provided guidance for a minimum 400 metres buffer between residential development and sewage treatment works.

The submitted planning proposal suggests that the RU5 Village zone be employed within the 400 metre buffer area, to continue to allow development outcomes 'compatible' with the sewerage treatment facility. Potential land uses for inclusion in this area are noted as recreation and conservation reserves, public infrastructure, agriculture and small scale-production. This assessment adopts the proponent's 400 metres buffer zone but recommends altering the method to implement the buffer.

There are two reasons that this assessment has found that this approach should not be adopted. Despite any buffer zone that may be identified, the RU5 Village zone would still permit development for residential purposes. This is not a suitable outcome for the location, and the zoning outcome should enable development that is possible in view of the prevailing constraints to that development. Additionally, the land uses that are suggested for the buffer portion of the RU5 Village zone are all better served by a different zone to the RU5 Village zone. In particular, agriculture and small-scale production are better served by the existing RU1 Primary Production zone.

Adopting a precautionary approach, this assessment sees fit to designate a minimum 400m buffer to the sewerage treatment plant as the limit to any rezoning allowed. This informs the extent of the subject land for the addendum to the planning proposal. Current guidelines for development nearby to sewage treatment plants do not specify a particular buffer distance, but this approach enables the progression of further investigation and consultation of the Collingullie growth area lands by eliminating the most acutely at-risk lands from further consideration going forward. The planning proposal can receive appropriate consultation with relevant agencies as deemed suitable by any Gateway Determination received, which may inform a requirement for further investigation.

A further benefit to this approach is to allow adequate margin for any minor expansion of the sewerage treatment facility that may be necessary in future. With the 400m buffer in place, such expansion may avoid being placed within of 250m to residences. 250m or less is the threshold at which sewerage works are deemed designated development as per Schedule 3 – Designated development of the Environmental Planning and Assessment Regulation 2000.

Reduction in agricultural lands and legacy agricultural land use

The addended planning proposal reduces the amount of zoned agricultural land at the periphery of the Collingullie township, providing for the transition of this land out of agricultural use. As discussed, this change is endorsed by the Wagga Wagga Spatial Plan by its nomination of the subject lands as the growth area for Collingullie. The extent of subject land for the originally submitted planning proposal is not supported for removal from agricultural use by the Wagga Wagga Spatial Plan. These lands outside the Collingullie growth area are removed from the planning proposal by effect of the addendum.

The former agricultural use of the subject land is substantially different to the proposed residential use of the subject land envisaged by the Wagga Wagga Spatial Plan. There exist legacy risks associated with this historical land use profile which may complicate change of use of these lands. The Planning Guidelines for State Environmental Planning Policy No. 55 – Remediation of Land identify agricultural and horticultural use of land as activities that may result in contamination of that land. This is an expected hazard for all agricultural lands in the course of their ordinary use.

In consideration of this planning proposal this assessment has queried whether the land features in Council's potentially contaminated land register. Lot 1 DP 120715, Lot 39 DP 754561, Lot 5 DP 833514 and Lot 71 DP 1066646 are listed in the register, noting that the addendum excludes Lot 71 DP 1066646 and a substantial part of the remainder. The concern listed is pesticide, which is a common activity on actively farmed rural lands.

This assessment has been unable to establish a reason that pesticide is a specific concern for these land parcels over other comparable agricultural lands. No information has been sighted to suggest, nor is it readily apparent from viewing the subject land, that the contamination risk derived from pesticide use or storage applying to this land is meaningfully different to that applying to all lands with a history of agricultural use.

A possibility identified by this assessment is that a pesticide contamination risk may be associated with the shedding and storage located at the southern part of Lot 1 DP 120715 and Lot 39 DP 754561, with the potential contamination listing including the entire land holding in that same ownership. This specific location is outside of the subject land for the addended planning proposal. It is possible via this or another alternative scenario that the contamination risk actually exists outside the final extent of the subject land area.

In view of the type of contamination hazard noted by Council's contamination register and the known historical agricultural use of the land, this assessment finds that this should not curtail further consideration of the subject land through the planning proposal process. The Planning Guidelines for SEPP 55 – Remediation of Land require that in a rezoning decision, the subject land is suitable for the proposed use or can be remediated to make it suitable. This satisfaction should be obtained through a preliminary investigation report into the potential land contamination. As the known historical land use, as well as Council's records, indicate potential contamination but provide an incomplete record of this, an investigation will be necessary and will enhance available knowledge.

Further investigation of land contamination on the subject lands should take place as a condition of Council's endorsement for Gateway Determination and as a condition of the Gateway Determination itself. This will also inform master planning activity undertaken in support of the planning proposal which must integrate a response to the findings of this investigation.

Service provision

The rezoning of the subject lands as per the addended planning proposal will add an RU5 Village area of 37 hectares to that already existing within the township. This affords considerable opportunity for the development of

Investigation of service capacity existing in Collingullie, specifically sewer treatment plant capacity, has taken place to determine the capacity of the Collingullie growth area to sustain this new development. These investigations have returned findings supportive of the further development of Collingullie.

At present the Collingullie sewerage treatment plant supports a maximum capacity of approximately 250 Equivalent Tenements (ETs). The Collingullie sewerage treatment plant is an evaporation based system, with two of five constructed ponds currently in use in support of a current demand of approximately 75 ETs. Existing spare capacity is approximately 175 ETs. The Collingullie sewerage treatment plant site has the ability to accommodate a further two evaporation ponds.

The subject land area for rezoning to RU5 Village zone is 37 hectares in size. Assuming the use of this land at 80% efficiency to deliver rural-residential lots, 175 homes could be delivered on lots no smaller than 2100 square metres.

In practice, lots will be expected to be larger than this, of lots 2500 square metres or greater in size. Collingullie is receiving new rural-residential development in lieu of further rural-residential development at the southern fringe of Wagga Wagga. In order to best offer a replacement for this product within the local housing market, lot sizes of greater than 2500 square metres will be best suited. Indeed, many lots at the southern fringe of Wagga Wagga are nearer to double this size at approximately 5000 square metres and some supply at this larger size of housing product is expected for the village of Collingullie to fulfil its strategic role in the local area housing market.

Taking these items into consideration, it is anticipated by this assessment that following master planning of the Collingullie growth area, no greater than 150 ETs additional demand shall be produced. This assessment further considers this factor alongside the safety margin built into the calculation of individual ETs relative to actual observed demand, the current remaining capacity of 175 ETs existing within the Collingullie sewerage treatment facility, as well as the ability to expand this capacity through additional evaporation ponds by 100 ETs at the current utilisation rate. In view of these considerations, it is found by this assessment that there is capacity to undertake the rezoning with a significant margin of safety in place.

It is noted that existing dwellings within the village of Collingullie operate on pressure sewer systems. In future it is preferable to service properties by gravity sewer to a single consolidated pumping station onward to the Collingullie sewerage treatment plant. The location of a new sewer pump station, most likely in the northern extent of the subject land due to prevailing topography, must be resolved as a part of master planning of the Collingullie growth area following any Gateway Determination granted.

Master planning

The rezoning of the subject lands as per the addended planning proposal will add a considerable area of land to the spatial extent of Collingullie township. The RU5 Village zoned area at completion of the addended planning proposal will be triple the area of the existing RU5 Village zone at Collingullie.

This is a considerable land area. Master planning is required to ensure an orderly program of development in the growth area. Master planning for the area can inform a future road layout, future development staging, intended residential offering in each stage, fulfilment of servicing requirements and planning for infrastructure. The subject land area, consistent with the existing village area of Collingullie, is not proposed to receive a new minimum lot size requirement. Minimum lot size should to be managed by the master plan to be development and should be given effect through an amendment to the Wagga Wagga Development Control Plan.

Additional controls and guiding master planning content for the new development in Collingullie should be provided in the form of an Amendment to the Wagga Wagga Development Control Plan at Section 6.1.1 of that document. This content should be produced prior to public exhibition of the planning proposal and form part of the exhibited materials alongside the planning proposal.

The following items are to be considered and inform development of a master plan and Development Control Plan for the subject lands:

1. The staging of the development of the subject land to ensure appropriate development sequencing and avoid leapfrogging of development.
2. The typical lot size that each growth stage is to be comprised of and the resulting addition of dwellings in each stage.
3. The provision of road, sewer and stormwater infrastructure to lots provided within the development stages, at the intensity of development nominated for each stage, with a view taken to the pre-existing service capacity to be utilised.
4. Traffic assessment to inform the required design layout and specification for the provision of road access to new residential lots to be developed and the impact of the anticipated new development upon nearby classified road infrastructure.
5. The strategic intent of providing additional residential development in Collingullie, as an alternative to large lot development at the fringe of the Wagga Wagga urban area, and what lot size and land offer is appropriate in view of this housing market being diverted to Collingullie.
6. The development transition from the core of the Collingullie township to surrounding agricultural lands and providing effective lot size and design response to this context.
7. The connectivity and presentation of new development areas to and from key locations within Collingullie including the school, commercial establishments and the playing field.
8. Suitability of the subject lands to sustain additional residential development in view of the legacy effects of previous land use, in particular any contamination of the land that may exist, and remediation of these effects as required.

COMPLIANCE TEST

The following matters pursuant to the provisions of Section 55 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment's Guide to Preparing

Planning Proposal, have been taken into consideration in the assessment of the proposal.

Riverina Murray Regional Plan 2036	
Direction	Compliance
<p><i>Direction 1</i></p> <p><i>Protect the region's diverse and productive agricultural land</i></p>	<p>The planning proposal performs satisfactorily in relation to this Direction of the Regional Plan. While the planning proposal does seek to rezone lands within the RU1 Primary Production zone, the addended planning proposal aligns this rezoning to the previously identified extent of urban growth lands at Collingullie.</p> <p>The planning proposal responds to Action 1.2 of this Direction. In providing new growth areas for residential development at Collingullie, master planning to be required as a part of this planning proposal shall ensure that the interface between the agricultural lands surrounding Collingullie and the village itself is appropriately managed. The development of the subject lands for village purposes aids in minimising fragmentation of rural lands by directing residential demand for land into pre-identified growth corridors and away from other locations.</p>
<p><i>Direction 23</i></p> <p><i>Promote the growth of regional cities and local centres.</i></p>	<p>The planning proposal supports this direction in promoting the growth of regional cities and local centres. In particular, Action 22.2 requires local planning to consider the role, function and relationship between regional cities and centres in local land use strategies. The planning proposal enables Collingullie to fulfil a role for the village within local planning strategy by providing additional rural-residential housing options and filling an assigned niche within the local housing market.</p>
<p><i>Direction 24</i></p> <p><i>Build resilience within towns and villages.</i></p>	<p>The planning proposal is consistent with this direction. The planning proposal provides for the introduction of additional residential development in the village of Collingullie in order to support population growth in the village. This is a part of a broader strategy to provide rural residential lifestyle dwellings in the villages of the Wagga Wagga local government area rather than at the urban fringe of Wagga Wagga itself. This action will support the ongoing strength of the Collingullie village and add to its resilience.</p>
<p><i>Direction 25</i></p> <p><i>Build housing capacity to meet demand.</i></p>	<p>The planning proposal is consistent with this direction. The planning proposal provides an opportunity for the supply of additional rural residential lifestyle lots within the village of Collingullie. This assists in meeting demand for this type of housing, and does so in a manner that facilitates improved planning outcomes not simply at the site of the subject land but also within the min urban area of Wagga wagga where demand for this residential offer would otherwise arise.</p>

	<p>This fulfils multiple actions subordinate to the direction. The planning proposal upholds Action 25.2 “Facilitate increased housing choice...in regional cities and locations close to existing jobs and services”. Collingullie is a location that is readily accessible to the services and employment opportunities available in Wagga Wagga proper, in view of the large lot type of residential development to be pursued.</p> <p>The planning proposal also gives effect to Action 25.3 “Align infrastructure planning with land release areas to provide adequate infrastructure.” The planning proposal responds to the identified need to provide large lot residential development in the village setting and away from the main urban area of Wagga Wagga. Providing this type of residential development in this location allows for more efficient use of urban infrastructure for more intensive forms of residential development within Wagga Wagga proper. It also makes effective and efficient use of infrastructure and services already provided within the village of Collingullie, in accordance with the identified growth corridor for the village.</p>
<p><i>Direction 26</i></p> <p><i>Provide greater housing choice.</i></p>	<p>The planning proposal is consistent with this direction. The planning proposal is supportive of the pre-existing strategic direction of the Wagga Wagga Spatial Plan to support growth of larger-lot rural-residential ‘lifestyle’ development in the villages of the local government area.</p> <p>This housing type is a significant component of Wagga Wagga area housing offer but has thus far been delivered primarily at the edge of the wagga Wagga urban area. This complicates the ongoing development of the city. the placement of this housing type within the village setting, including Collingullie, enables the continued offer of this option within the local housing mix, without the negative impacts that this incurs within Wagga Wagga proper. This also creates the opportunity for alternative housing types to be pursued within the urban area of Wagga Wagga in a focused and efficient manner.</p>
<p><i>Direction 27</i></p> <p><i>Manage rural residential development.</i></p>	<p>The planning proposal is consistent with this direction. The planning proposal is consistent with an endorsed strategic direction to provide rural-residential development within the villages of the Wagga Wagga local government area. While a housing strategy specifically, as referred to in Action 27.1, is not applicable to the subject land, the planning proposal does provide rural residential development in a location identified by the Wagga Wagga Spatial Plan, as the endorsed land use strategy for the Wagga Wagga local government area.</p>

	The addended planning proposal is consistent with Action 27.2, placing this rural residential area in close proximity to the existing settlement of Collingullie and avoiding conflict with agricultural lands other than those lands already identified for village expansion in the Wagga Wagga Spatial Plan.

Wagga Wagga Spatial Plan 2013 -2043	
Direction	Compliance
<i>We plan for a growing community.</i>	The planning proposal upholds the intent of this Spatial Plan direction. The planning proposal responds to the requirement for additional housing to facilitate population growth. The Spatial Plan also notes the need to ensure rural communities remain strong and viable and continue to make their invaluable contribution to the character of our area. The planning proposal fulfils these requirements by targeting lands identified for future growth at Collingullie within the Wagga Wagga Spatial Plan. The planning proposal comprises a component part of an overall coherent approach to providing housing supply within the municipality.
<i>We have access to affordable housing options.</i>	The planning proposal upholds the intent of this Spatial Plan direction. The Spatial Plan recognises the need for additional volumes of housing stock, delivered in an increasingly diverse range of styles and settings, so as to increase the overall level of affordability across the various segments of the Wagga Wagga housing market. As stated in the earlier findings of this assessment, it is increasingly impractical and unsustainable to deliver rural lifestyle lots at the urban fringe of Wagga Wagga. Delivery of this type of residential lot is targeted for the Collingullie growth area in order to continue supply of this type of housing. In the absence of this action it can reasonably be expected that this type of housing will become increasingly scarce relative to ongoing demand, resulting in the existing rural lifestyle housing stock becoming unobtainable in price to many, and subsequently resulting in increased demand at the margin for the other housing types offered within the city in lieu of rural lifestyle housing. This would negatively impact the overall affordability of housing in the city. The planning proposal upholds the intent of the Spatial Plan in regard to this direction so as to increase overall housing affordability.
Wagga Wagga Integrated Transport Strategy and Implementation Plan 2040	
Direction	Compliance
<i>Grow the social and economic links between regional cities, smaller towns and villages to make access to new markets</i>	The planning proposal is consistent with this Direction provided by WWITS. The planning proposal expressly supports the redirection of 'lifestyle' housing development towards surrounding villages of Wagga Wagga, in this case Collingullie.

<i>easier to and drive sustainable economic growth.</i>	This will reinforce the social and economic links between Wagga Wagga and Collingullie as per the direction.
<i>Choices should be available for people who live within surrounding suburbs and villages to walk or cycle to key destinations.</i>	The planning proposal is consistent with this direction. The planning proposal concerns lands directly adjoining the existing area of Collingullie village, with opportunities available to easily travel to and from key locations for the Collingullie community.
<i>Investigate accessibility to and viability of public transport for villages.</i>	The planning proposal provides satisfactory compliance with this direction. Whilst the planning proposal does not directly implement this direction, placement of additional population at Collingullie does position the village appropriately for future provisions of expanded public transport services. Larger population can drive larger patronage, to enable public transport and various other services to scale more effectively and underpin the ongoing sustainability of those services.

Section 9.1 Ministerial Directions	
Direction	Compliance
1.2 Rural Zones	<p>The direction is applicable to this planning proposal as the planning proposal affects land within an existing rural zone.</p> <p>The planning proposal has an inconsistency with the direction as it seeks to rezone lands within a rural zone to a village zone.</p> <p>The addended planning proposal is justified in this inconsistency, as the zoning change is intended to occur only for lands identified within existing planning strategy, namely the Wagga Wagga Spatial Plan. The addended planning proposal provides a superior outcome against the requirements of the direction than does the submitted planning proposal. The submitted planning proposal would seek to rezone rural lands outside of those identified within the Wagga Wagga Spatial Plan and would be unable to justify its inconsistency on this basis.</p>
1.5 Rural Lands	<p>The direction is applicable to the planning proposal as the planning proposal affects land within an existing rural zone and seeks to change the existing minimum lot size applying to that rural zoned land.</p> <p>The addended planning proposal is justified in these changes to rural zoned lands. The addended planning proposal conducts the rezoning and change to minimum lot size consistent with the directions of the Wagga Wagga Spatial</p>

	Plan, the applicable strategic plan applying for this location. The submitted planning proposal is unable to adequately justify its rezoning of lands outside the identified area of the Wagga Wagga Spatial Plan and has received addendum to achieve a strategically justified outcome.
<i>2.1 Environment Protection Zones</i>	The direction is applicable to the planning proposal as it is applicable to all planning proposals. The planning proposal achieves consistency with the direction as it does not reduce the environmental protection standards applying to lands, nor does it apply directly to lands within an environmental protection zone.
<i>2.3 Heritage Conservation</i>	The direction is applicable to the planning proposal as it is applicable to all planning proposals. The planning proposal achieves consistency with the direction as it does not impact listed or identified heritage sites or attributes.
<i>2.4 Recreation Vehicle Areas</i>	The direction is applicable to this planning proposal as the direction is applicable to all planning proposals. The planning proposal achieves consistency with the direction as the planning proposal does not impact the ability for land to be developed for a recreation vehicle area.
<i>2.6 Remediation of Contaminated Land</i>	<p>The direction is applicable to the planning proposal as the planning proposal includes land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out.</p> <p>The planning proposal will achieve consistency with the direction subject to the implementation of investigative actions prescribed by this assessment. Additionally, the planning proposal applies to agricultural lands identified for potential pesticide contamination. This type of contamination risk is typical of lands transferred from rural to urban use at the urban fringe. Investigation of the contamination risk existing to the subject land to inform any master plan will determine if remediation of the land is required. This conditioning of Council's support for the proposal provides a mechanism by which any required remediation of the subject land will be in place before land is used for urban purposes and rezoned for such.</p>
<i>3.1 Residential Zones</i>	The direction is applicable to the planning proposal as the planning proposal affects land within a proposed residential zone.

	<p>The objectives of the direction are to encourage variety and choice in housing provision and to ensure that new housing has appropriate access to infrastructure and services in an efficient manner.</p> <p>The addended planning proposal is consistent with the direction. The addended planning proposal observes the direction of the Wagga Wagga Spatial Plan in rezoning the subject land for residential purposes. This land area is provided to allow ongoing supply of rural-residential 'lifestyle' lots as a part of the overall variety of housing options provided within the Wagga Wagga local government area. This allocation of land prevents also further consumption of land for this purpose at the urban fringe of Wagga Wagga, consistent with the direction. The planning proposal will be subject to the requirement for additional master planning for insertion into the DCP, to determine the appropriate allocation of infrastructure and services to the subject land.</p>
<i>3.2 Caravan Parks and Manufactured Home Estates</i>	<p>This direction is applicable to the planning proposal as the direction is applicable to all planning proposals. The planning proposal is consistent with the direction as the zone change provides permissibility for caravan parks and manufactured home estates.</p>
<i>3.3 Home occupations</i>	<p>This direction is applicable to the planning proposal as the direction is applicable to all planning proposals. The planning proposal is consistent with the direction as it allows home occupations to be carried out in dwelling houses without the need for development consent.</p>
<i>3.4 Integrating Land Use and Transport</i>	<p>This direction is applicable to the planning proposal</p> <p>As discussed earlier in this assessment, the planning proposal comprises part of a broader strategy within the Wagga Wagga Spatial Plan 2013 to provide larger rural residential 'lifestyle' lots in the villages and neighbouring municipalities surrounding the urban centre of Wagga Wagga. The intent of this strategy is to direct demand for this type of housing away from the urban fringe of Wagga Wagga. This strategy implemented by this planning proposal is consistent with the requirements of the Direction, as it responds to transport planning challenges in an integrated fashion.</p> <p>At present, the proliferation of this housing type at the southern extent of the Wagga Wagga urban area results in difficulties for transport planning. This form of development is predisposed to car dependency due to the distant distribution</p>

	<p>of residents failing to produce a critical mass in any particular location to support services. Resulting motor vehicle traffic places pressure on the intra-urban roadways of the city.</p> <p>The strategy to shift this housing typology to the surrounding villages instead directs this through traffic onto better-equipped classified roads. These roads also do not have the requirement of servicing urban needs as well as the transit of through commuter traffic. Traffic will be shared across different classified roads surrounding Wagga Wagga depending upon the particular village location in question, rather than traffic pressure primarily to the southern area of Wagga Wagga as in the present.</p>
<i>4.3 Flood Prone Land</i>	
<i>5.10 Implementation of Regional Plans</i>	<p>This direction is applicable to the planning proposal as it is applicable to all planning proposals. The planning proposal is consistent with the intent of the planning proposal, upholding several directions of the Riverina-Murray Regional Plan as detailed earlier in this assessment.</p>
State Environmental Planning Policies	
Policy	Compliance
<i>SEPP 55 – Remediation of Land</i>	<p>This State Policy is relevant to the planning proposal as the land is known to have been used for a purpose listed in Table 1 of the Managing Land Contamination – Planning Guidelines for State Environmental Planning Policy No. 55 – Remediation of Land. The land has historically been rural land used for agricultural purposes, fulfilling the description of ‘agricultural/horticultural activities’ provided by Table 1 of the Guidelines. The land is also noted within Council’s Potentially Contaminated Land Register for the reason of ‘pesticide use’, which is a foreseeable implication of historical agricultural use of the land.</p> <p>As it is understood that the land has been used for a purpose described by the Guidelines, detailed investigation will be required to examine the potential risk of exposure to contamination when the land use changes. The Guidelines suggest that this should take place by means of a sampling program conducted in accordance with EPA guidelines, thresholds and criteria, and requirements of the Contaminated Land Management Act. The proponent will be required to integrate the findings of investigation into subsequent master planning of the subject lands for future village development.</p>

	<p>Fulfillment of these investigation requirements will be a requirement of Council's endorsement for gateway Determination of the Planning Proposal. With detailed investigation, the suitability of the subject land for village development can be demonstrated prior to the completion of the Planning Proposal process</p>
<p><i>State Environmental Planning Policy (Infrastructure) 2007</i></p>	<p>The Policy bears relevance to the addended planning proposal as the subject lands possess a frontage to classified roads, namely the Sturt Highway, Lockhart Road and The Rock-Collingullie Road. In accordance with Clause 101 of the Policy, development resulting from the planning proposal must avoid compromising the effective operation of these roadways. As much as is practical, access to new development areas is not to be provided from the classified roads.</p> <p>The planning proposal is well placed to uphold these directions of the Policy. The subject land area does interface with three classified roads at different parts of the land. Despite this, the subject land is also an expansion directly adjacent the existing footprint to the Collingullie village. There are excellent opportunities for newly developed areas to acquire access through pre-existing road reserves and constructed local roads comprising the Collingullie street grid.</p> <p>The master planning process to be required to complete the planning proposal will identify road alignments to be observed in the development of the subject land area and the interface and any connectivity of new roads with classified roads adjoining the development area.</p>
Other	
<p><i>Environmental Planning and Assessment Regulation 2010</i></p>	<p>The Environmental Planning and Assessment Regulation 2000 has been considered in the assessment of this planning proposal. Schedule 3 'Designated development' of the Regulation refers to sewerage systems and sewer mining systems at Item 29. This designates sewerage systems or works that have an intended processing capacity of more than 20 persons equivalent capacity and within 250 metres of a dwelling not associated with the development as designated development.</p> <p>The addended planning proposal avoids a scenario where future augmentation or improvement of the Collingullie sewerage treatment plant becomes designated development. The exclusion of subject land within 400 metres of the</p>

	sewerage treatment plant site means that the 250 metre threshold is avoided with a safe margin to spare.
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INTERNAL/EXTERNAL CONSULTATION

<u>Internal:</u>	Standard internal referrals occurred.
<u>External:</u>	External consultation will be undertaken as required by the Gateway Determination. It is anticipated that a Gateway Determination may require consultation of state government agencies in regard to some aspects of the planning proposal.
<u>Community consultation:</u>	Community consultation will be undertaken as required by the Gateway Determination. Council policy requires an exhibition period of 28 days or greater and 42 days or greater for the receipt of submissions.

CONCLUSION

The planning proposal application has been considered in respect to the benefits of the community and the matters discussed in this report are all reflections of the public interest and community expectations through strategic direction and policy guiding documents. The planning proposal, subject to Council addendum, is supported for the following reasons:

- It upholds the directions and intent of the endorsed strategic documents applicable to the area, including Riverina-Murray Regional Plan 2036 and Wagga Wagga Spatial Plan 2013-2043.
- It demonstrates consistency with relevant S9.1 Ministerial Directions.
- The investigation of the subject land provided with the application, supplemented by Council's assessment and development of an addendum to the planning proposal, is sufficient to support the planning proposal and forward to the Department of Planning and Environment seeking Gateway Determination.

To comply with the NSW Department of Planning and Environment guidelines and to support the planning proposal, council staff will prepare an addendum to the application to include a proposed timeline and exhibition mapping prior to submitting for Gateway Determination.