



# 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.

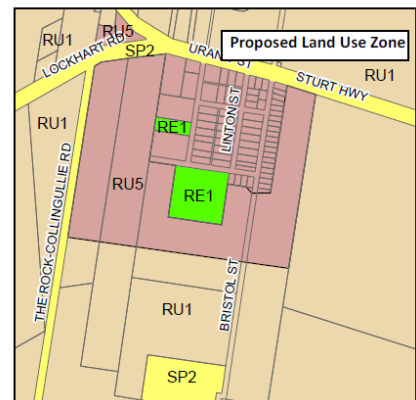
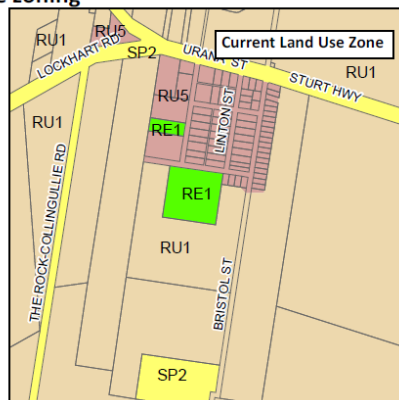
## THE SITE AND LOCATION

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.

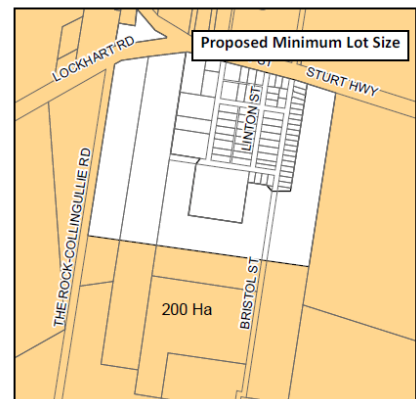
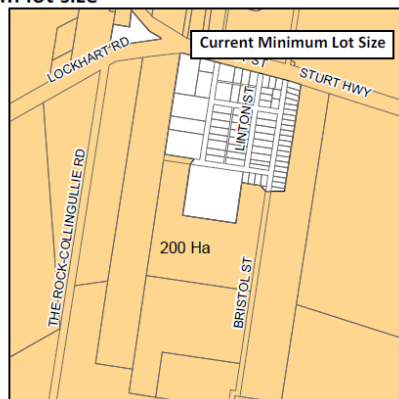
The land under consideration by the planning proposal is located to the immediate south, west and east of the existing footprint of the Collingullie township. As noted by Council's assessment, the subject lands are predominantly flat, consisting of lands historically used for grazing.

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**

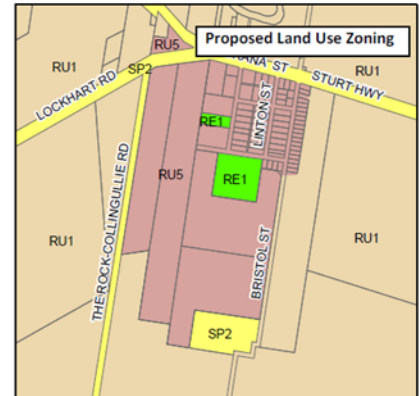
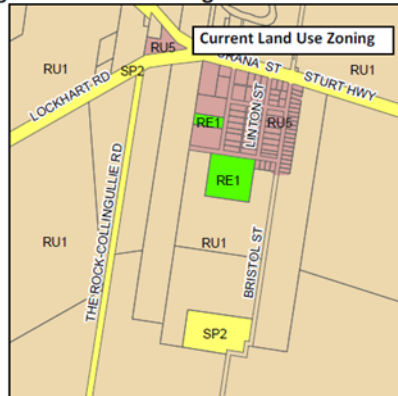
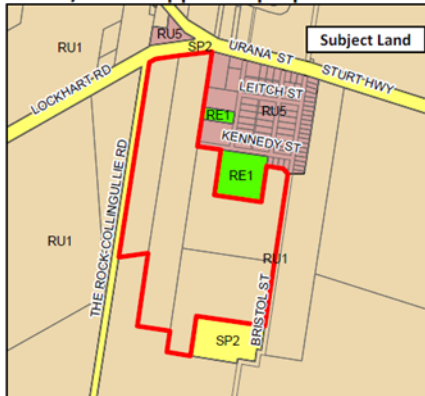
<b>TASK</b>	<b>Anticipated timeframe</b>
Anticipated date of Gateway Determination	December 2020
Anticipated timeframe for completion of required technical information	January 2021 – August 2021
Timeframe for Government agency consultation	January 2021 – August 2021
Commencement and completion dates 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



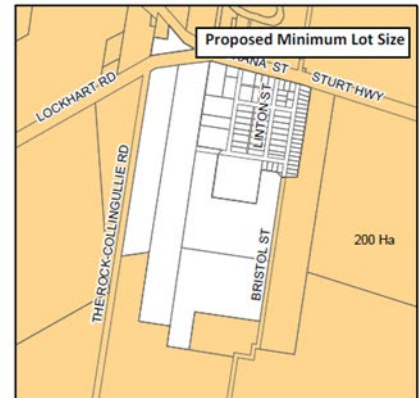
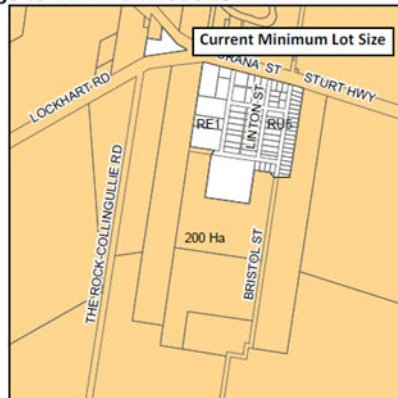
## APPENDIX

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



# Planning Proposal

COLLINGULLIE VILLAGE REZONING

JUNE 2019



## Document Verification



### Project Title

Planning Proposal  
Collingullie Village Rezoning

Project Number:	17-318			
Project File Name:	\\WAGGA\Active\Projects\2017\2017 - TOWN PLANNING PROJECTS\17-318 Collingullie rezoning (Mo-ily Trust) \Reports			
Revision	Date	Prepared by (name)	Reviewed by (name)	Approved by (name)
Draft 1.0	7/06/2019	Josh Neuer	Stephanie Anderson	Stephanie Anderson
Final 0.1	19/06/2019	Stephanie Anderson	Lizzie Olesen – Jensen	Lizzie Olesen - Jensen
Final 1.0	28/06/2019	Stephanie Anderson	Lizzie Olesen – Jensen	Lizzie Olesen - Jensen

ngHENvironmental prints all documents on environmentally sustainable paper including paper made from 100% bagasse (a by-product of sugar production) or recycled paper.

NGH Environmental Pty Ltd; ACN: 124 444 622. ABN: 31 124 444 62

[www.nghenvironmental.com.au](http://www.nghenvironmental.com.au) e [nghe@nghenvironmental.com.au](mailto:nghe@nghenvironmental.com.au)

suite 1, 39 fitzmaurice st (po box 5464)  
wagga wagga nsw 2650  
t 02 6971 9696

unit 2,54 hudson st  
hamilton nsw 2303 australia  
t (02) 4929 2301

unit 18, level 3, 21 mary st  
surry hills nsw 2010 australia  
t (02) 8202 8333

unit 8, 27 yallourn st (po box 62)  
fyshwick act 2609 australia  
t (02) 6280 5053

level 5, 87 wickham tce  
brisbane qld 4000  
t 07 3511 0238

89-91 auckland st (po box 470)  
bega nsw 2550 australia  
(02) 6492 8333



## CONTENTS

<b>PLANNING PROPOSAL .....</b>	<b>3</b>
<b>SUBJECT LAND, OWNERSHIP AND LOCALITY.....</b>	<b>3</b>
<b>BASIS OF THE PROPOSAL.....</b>	<b>5</b>
<b>STRATEGIC CONTEXT.....</b>	<b>6</b>
<b>INTERFACE MATTERS.....</b>	<b>9</b>
<b>1 PART 1 OBJECTIVES OR INTENDED OUTCOMES .....</b>	<b>10</b>
<b>2 PART 2 EXPLANATION OF THE PROVISIONS .....</b>	<b>11</b>
<b>3 PART 3 JUSTIFICATION.....</b>	<b>14</b>
3.1 SECTION A NEED FOR THE PLANNING PROPOSAL.....	14
3.1.1 Is the planning proposal a result of any strategic study or report? .....	14
3.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way? .....	15
3.2 SECTION B RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK .....	16
3.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional, or district plan or strategy (including any exhibited draft plans or strategies)? .....	16
3.2.2 Is the planning proposal consistent with a council's local strategy or other local strategic plan? .....	18
3.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies? .....	19
3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s. 9.1 directions)? .....	20
3.3 SECTION C ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT .....	23
3.3.1 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? .....	23
3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? .....	24
3.3.3 Has the planning proposal adequately addressed any social and economic effects? .....	25
3.4 STATE AND COMMONWEALTH INTERESTS .....	29
3.4.1 Is there adequate public infrastructure for the planning proposal? .....	29
3.4.2 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination? .....	31
<b>4 PART 4 MAPPING .....</b>	<b>32</b>
<b>5 PART 5 COMMUNITY CONSULTATION .....</b>	<b>32</b>
<b>6 PART 6 PROJECT TIMELINE.....</b>	<b>32</b>

## **TABLES**

Table 3-1 Considerations under the Riverina Murray Regional Plan 2036 .....	16
Table 3-2 Considerations under the Wagga Wagga Spatial Plan 2013-2043 .....	18
Table 3-3 Relevant State Environmental Planning Policies .....	19
Table 3-4 Consideration of Ministerial Directions.....	20

## **FIGURES**

Figure 1: Aerial image showing the subject precinct with respect to the existing village and key features (WWCC Online Mapping, 2019) .....	4
Figure 2 Location of Collingullie with respect to the Wagga Wagga CBD (Google maps, 2019).....	4
Figure 3 Cadastre image indicating precinct and surrounding major roads (Source: Base Map - WWCC online mapping, 2019) .....	5
Figure 4 Extract from the Wagga Wagga Spatial Plan indicating Collingullie investigation precinct (Source: Wagga Wagga City Council, 2013).....	7
Figure 2-1 Existing land zoning map WWLEP 2010 (WWCC online mapping, 2019).....	11
Figure 2-2 Proposed land zoning map WWLEP 2010 (WWCC, 2019).....	12
Figure 2-3 Existing minimum lot size map WWLEP 2010 (WWCC online mapping, 2019).....	12
Figure 2-4 Proposed minimum lot size map WWLEP 2010 (WWCC,2019) .....	13
Figure 3-1 Biodiversity Conservation Regulation 2017 Biodiversity Values Map (LMBC, 2019) .....	23
Figure 3-2 Terrestrial Biodiversity Map WWLEP 2010 (WWCC online mapping, 2019).....	24
Figure 3-3 Agricultural Suitability Map indicating the land and surrounds (WWCC Online Mapping, 2019) .....	26
Figure 3-4 Agricultural Suitability Map indicating wider locality (WWCC Online Mapping, 2019) .....	27
Figure 3-5 Biophysical Strategic Agricultural Land map (SEED portal, 2019) .....	28
Figure 3-6 Map of Crown roads and reserves in proximity to the subject land (WWCC online mapping, 2019) .....	29
Figure 3-7 Collingullie service area extracted from Wagga Wagga Development Servicing Plan No.1 Sewerage Services (Wagga Wagga City Council, 2013).....	30



## PLANNING PROPOSAL

This Planning Proposal is prepared under Section 3.33 of the *Environmental Planning and Assessment Act 1979*. It seeks to amend the Wagga Wagga Local Environmental Plan 2010 to rezone the subject land and remove the minimum lot size provisions applicable to the subject precinct.

The subject precinct comprises Lot 1 DP120715, Lot 39 DP754561, Lot 5 DP833514 and Lot 71 DP1066646.

The Planning Proposal has been prepared to seek approval to:

- rezone the land from RU1 Primary Production to RU5 Village, and
- replace the prescribed minimum lot size of 200 hectares, with no minimum lot size provisions.

The Planning Proposal outlines the effect of, and justification for, the changes to existing planning controls and has been drafted in accordance with the relevant guidelines prepared by NSW Planning and Environment (DPE).

The Planning Proposal is supported by evidence consistent with the relevant strategies, State Environmental Planning Policies and the Section 9.1 Ministerial Directions.

Wagga Wagga City Council is the relevant planning authority, pursuant to Section 3.32 of the *Environmental Planning and Assessment Act 1979*.

## SUBJECT LAND, OWNERSHIP AND LOCALITY

NGH Environmental acts on behalf of Mr. Bradley Jenkins in the preparation of this Planning Proposal.

The legal description of the subject lots and land ownership is contained in Table 1 below. As indicated below, the subject precinct is held in private ownership by Mr. Bradley Jenkins and Mo-ily Holdings, of which Bradley is the sole director.

Table 1: Subject land and land ownership

Subject land	Landholder
Lot 1 DP120715– 9 Lockhart Road	B Jenkins
Lot 39 DP754561– 9 Lockhart Road	B Jenkins
Lot 5 DP833514 – 84 Bristol Street	Mo-ily Holdings (B Jenkins)
Lot 71 DP1066646 – 84 Bristol Street	Mo-ily Holdings (B Jenkins)

The subject holdings form a precinct that adjoins the village of Collingullie at its southern boundary. The Collingullie village was established around 1959 under a village plan developed by the former Mitchell Shire. The Mitchell Shire was amalgamated with Wagga Wagga in 1981.

The subject land, both historically and presently, has been utilised for primary production activities. These activities have primarily involved the grazing of stock and crop production. Rural development on the land pre-dates the Mitchell Shire amalgamation.



The precinct is bound to the north by Urana Street and Lockhart Road (classified regional road), to the east by Bristol Street, and to the west by the Rock-Collingullie Road (classified regional road). The land is separated from the existing village by a public recreational area, the Collingullie Crossroads Oval, and extends south to the Collingullie sewerage treatment works. The subject land has a combined area of approximately 53 hectares and is shown in Figure 1 below.

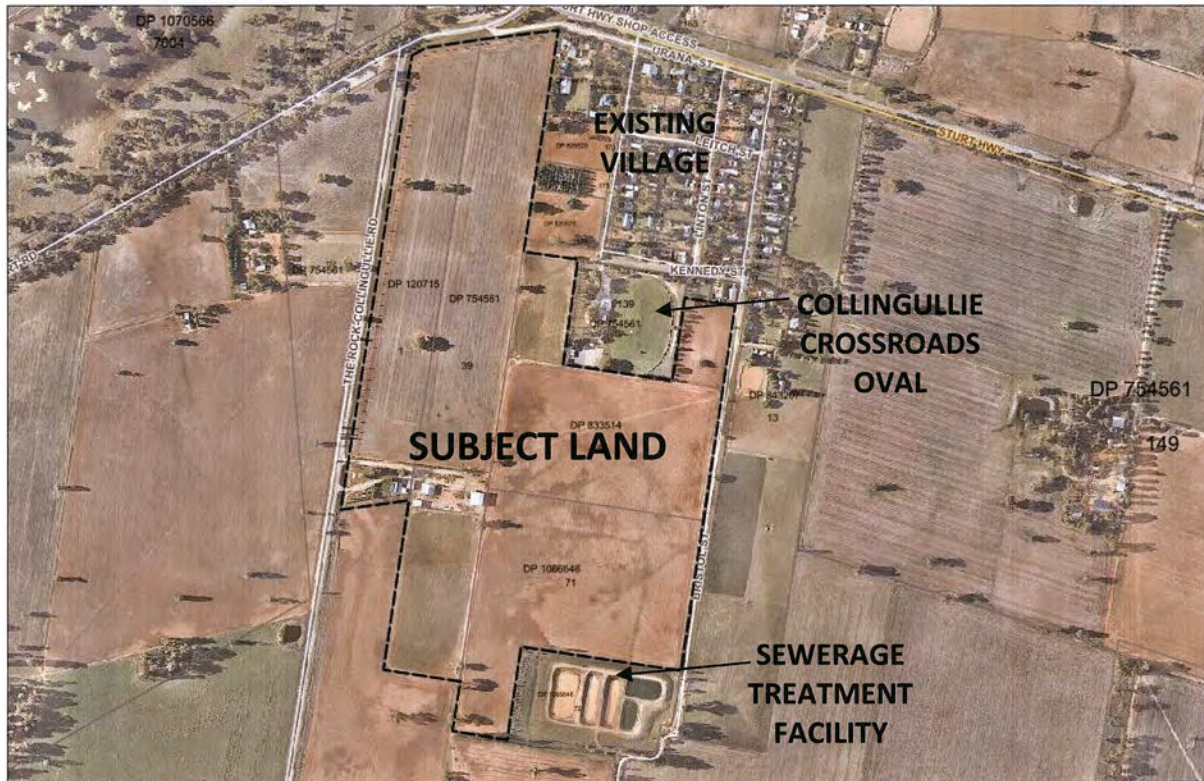


Figure 1: Aerial image showing the subject precinct with respect to the existing village and key features (WWCC Online Mapping, 2019)

The village of Collingullie is located approximately 23 kilometres west of the Wagga Wagga CBD, as indicated in Figure 2 below.

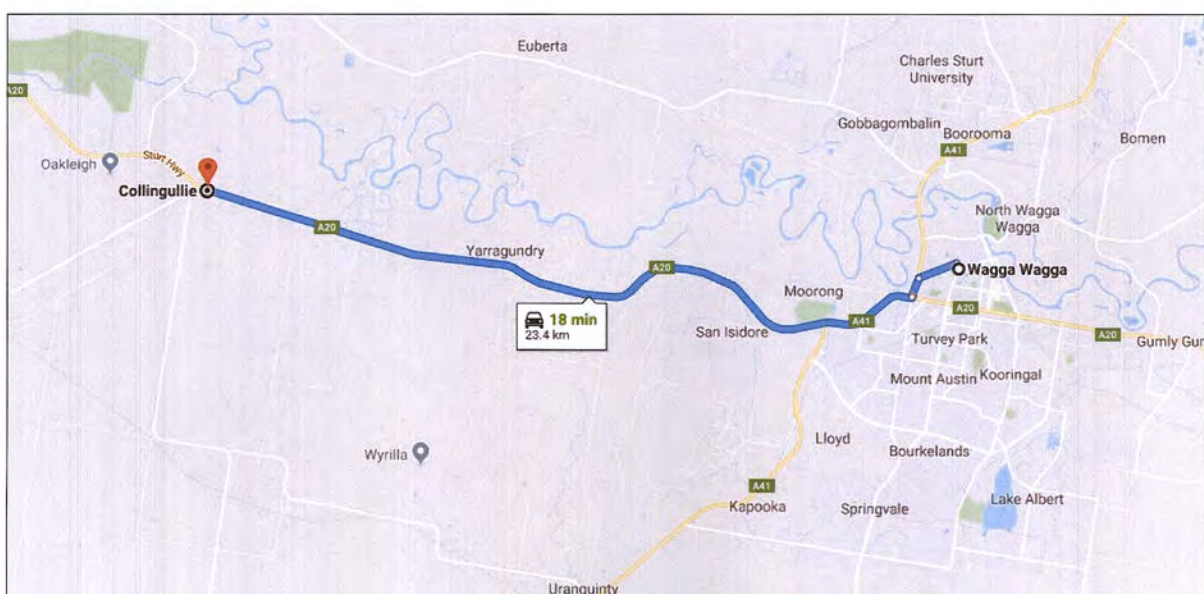


Figure 2 Location of Collingullie with respect to the Wagga Wagga CBD (Google maps, 2019)



## BASIS OF THE PROPOSAL

The primary objective of the Planning Proposal is to amend the planning controls contained in the Wagga Wagga LEP to facilitate expansion of the Collingullie village. The Wagga Wagga Spatial Plan 2013-2043 identifies that rural villages meet the demand of those seeking a lifestyle away from the more urbanised setting.

The proposal is considered appropriate given:

- the configuration of the subject land would form a natural extension to the existing village precinct, and
- future development would avoid direct access to the Sturt Highway, consistent with the preferred directions outlined in the Spatial Plan.

As outlined above, the subject precinct comprises four lots with a collective area of approximately 53 hectares. The precinct is held in a single ownership and is shown in Figure 3 below. Matters that were considered in the establishment of the precinct are outlined in Section 3.1.1 of the Planning Proposal.

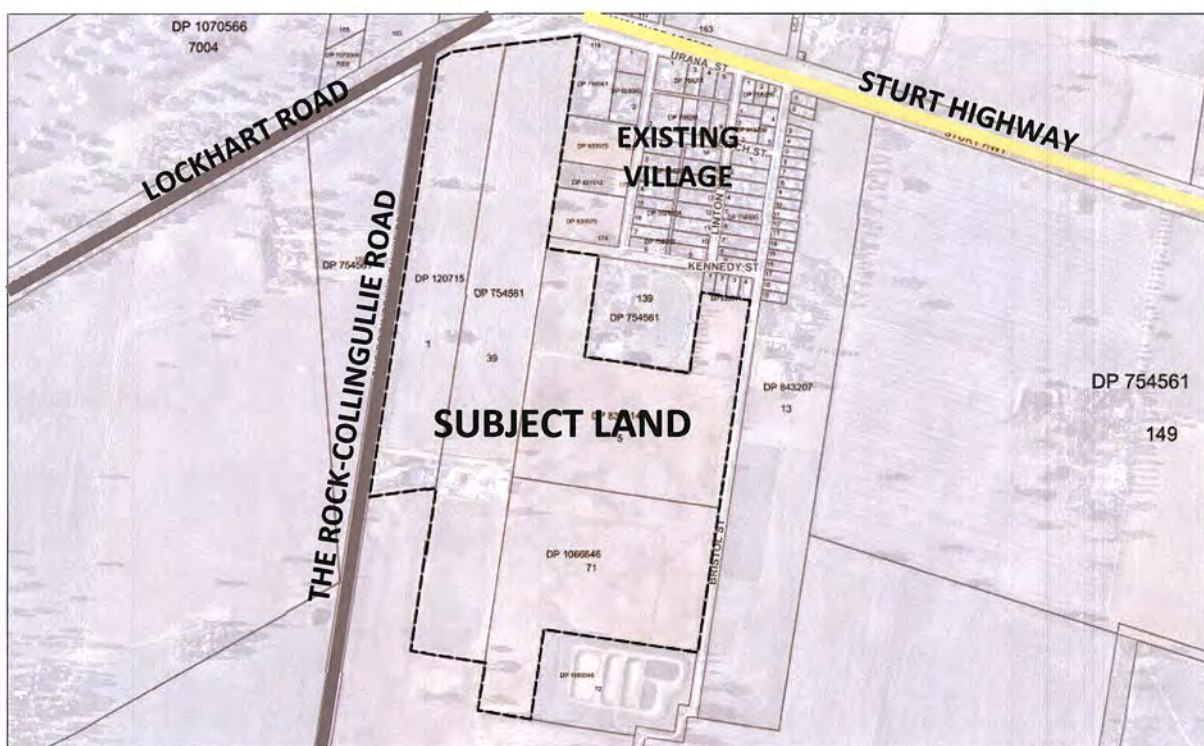


Figure 3 Cadastre image indicating precinct and surrounding major roads (Source: Base Map - WWCC online mapping, 2019)

Collingullie village and surrounds, with a population of 399 persons, is the third largest of the rural localities after Uranquinty and Mangoplah. Collingullie, unlike most rural villages in the LGA, is not affected by hazard resulting from flood, overland flow and other environmental constraints such as bushfire.<sup>1</sup>

The village of Collingullie is zoned RU5 Village and comprises a residential settlement. The village is connected to essential infrastructure including electricity, communication networks, mains water supply and a pressure sewerage system. The village is not part of Council's Development Servicing Plan (DSP) for stormwater. Existing drainage is an informal, rural style service comprising grassed swales and culverts.

<sup>1</sup> Wagga Wagga Spatial Plan 2013 – 2043 (WWCC)



The village is supported by a range of community facilities and services including the Crossroads Hotel, the Collingullie Store, Catholic Church of St Michael, the Rural Fire Service brigade, Collingullie Soldier's Memorial Hall and the Crossroads Oval. The Collingullie Public School historically enrolled approximately 30 children per annum, however closed at the end of 2017 due to low enrolment numbers. The school infrastructure remains.

More recently, the Collingullie Store has been proposed for re-development as a highway service centre. Once developed, the proposal would improve the convenience services available to the village and nearby communities. The development would potentially provide employment opportunities for approximately 10 residents, which would directly benefit the local community and would contribute to the growth and prosperity of the village.

In preliminary investigations that supported the preparation of this Planning Proposal, information was sought from ABS statistics and the local real estate industry. Findings indicated that increasing demand for residential properties in Collingullie appeared to be generated by lifestyle choice. This was primarily due to Collingullie's proximity to the regional centre of Wagga Wagga and the ability to provide for affordable housing opportunities. Secondly, demand was attributed to the perceived 'family focus', resulting from a younger demographic as the median age of the village population was reported as 36 years.

Topographically, the existing village contains features that would minimise the potential for land use conflicts to occur between new development and agricultural activities whilst they continue. These features are provided by way of the following buffers:

- the existing Bristol Street carriageway, which forms the eastern boundary of the existing village,
- the existing carriageway of The Rock-Collingullie Road, located along the western side of the village, and
- maintaining a buffer of 400m to the existing sewerage treatment facility, located to the south east of the village.

## **STRATEGIC CONTEXT**

According to the strategic vision identified in the Wagga Wagga Spatial Plan 2013-2043, the village is proposed for expansion and continued development where the rural character can be maintained. Land would need to be rezoned to facilitate the material expansion of Collingullie as it is currently bound by rural land that is zoned RU1 Primary Production.

The Wagga Wagga Spatial Plan identified part of the subject land for further investigation for potential development (Area 17), as shown in Figure 4 on the following page.

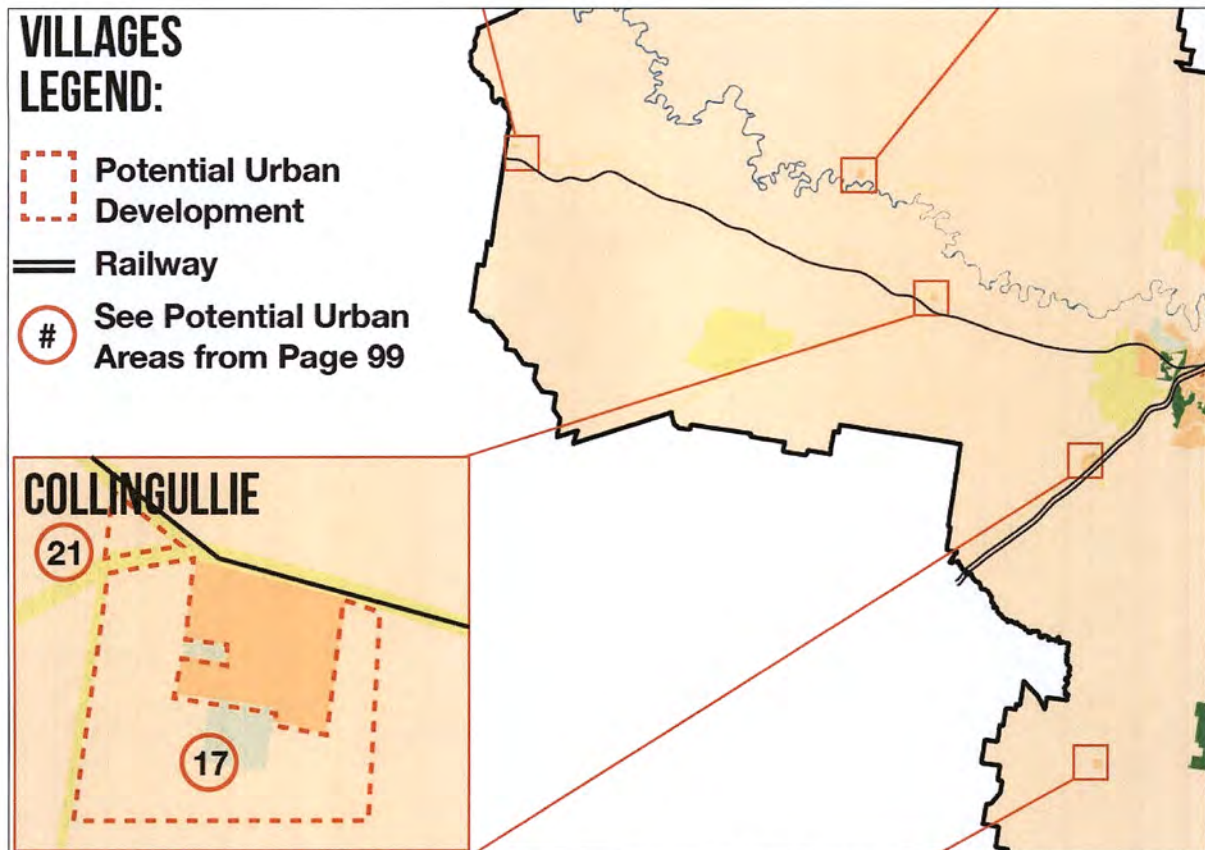


Figure 4 Extract from the Wagga Wagga Spatial Plan indicating Collingullie investigation precinct (Source: Wagga Wagga City Council, 2013)

According to the actions outlined in the Spatial Plan for Area 17, “any future development of the subject area is to be done in consultation with the Roads and Maritime Services to ensure there is no access to the Sturt Highway and minimal access to the classified roads is provided”. As indicated previously in this report, direct access to the Sturt Highway would be denied. The subject land and existing road network within the village would be configured to avoid operational impacts on the Sturt Highway and other nearby classified roads. Future application for subdivision would require the support of a traffic assessment to determine whether there would be opportunity to utilise existing roads and connections. Any future upgrade costs would be borne by the proponent of the development.

The Spatial Plan also identifies that a Rural Villages Plan for Collingullie was developed by community members, groups and key stakeholders together with Council staff. Fundamental to the Plan were the desired visions for the villages, which came from the respective village communities themselves. The Plan sets the framework and platform for Council and the rural village communities to work together to implement the plan’s initiatives.

The Collingullie community describes itself as a small, friendly and safe village, being a great place to live and ideal for raising children. The rural community around the village is engaged in sheep production and broadacre farming. Collingullie’s vision, as voiced by the local community, is to further develop and grow the village whilst retaining its rural character.<sup>2</sup>

<sup>2</sup> Rural Villages Plan 2010 Collingullie (WWCC)



Section 6 of the Wagga Wagga Development Control Plan 2010 (WWDCP) relates to development in the villages. The DCP contains a character statement for Collingullie and development controls that reiterate the vision outlined by the community.

The design of development in the Collingullie village would be required to respect the existing development pattern, which is comprised by 'quarter-acre' blocks in a grid pattern. The size and shape of future lots and the configuration of the road network would need to demonstrate compatibility with the established character of development. In consultation with Council, it was identified that additional DCP controls for the Collingullie village precinct could support the intended outcomes of the Planning Proposal and guide future development outcomes.

The total area of the subject precinct to which this Planning Proposal applies is approximately 53 hectares. It is envisaged that only a portion of the 53 hectares will be developed due to existing land constraints comprising buffers imposed by the land and its proximity to the Collingullie sewerage treatment facility, productive agricultural land and other existing infrastructural services.

Additionally, land would be dedicated to the provision of public roads, public open space, drainage reserves and other infrastructure. Potentially, the remaining developable area is estimated to be 29 hectares. Based on an average yield of 8 dwellings per residential hectare, the subject precinct may provide for approximately 232 lots. However, this figure is subject to rezoning and detailed design.

According to id.Community data for the Wagga Wagga LGA, average household expenditure in 2017/18 was \$141,091. Based on the theoretical number of developable lots, facilitating growth of the Collingullie village could potentially provide a direct economic benefit of over \$32 million per annum at development capacity. A proportion of this would be direct expenditure in the village, such as through the convenience store (and the proposed highway service centre, currently being assessed by Council), the Crossroads Hotel and the exchange of other goods and services between residents.

The Spatial Plan identifies that approximately 360 new dwellings are required in the LGA per annum. Approximately 35 new dwellings have been provided per annum in the villages in the ten years to 2013. This is generally reflective of the proportion of residents in urban and village/rural areas, whereby 8.5 percent of residents are reported to live in village/rural areas. The Spatial Plan also identifies that Collingullie, Mangoplah and Uranquinty are anticipated to account for most of the growth across the villages of the LGA; however, it is noted that flooding and overland flow pose a higher constraint for development in Mangoplah and Uranquinty.

Conservatively, Collingullie could account for the provision of 10-15 lots per annum, rising to 12-18 lots by 2030, by adopting the anticipated 2 percent growth rate identified in the Spatial Plan. Based on a rate of 10-15 lots per annum, the subject land could provide for 15-23 years of supply, noting that 23 years is the planning horizon upon which the Spatial Plan was developed. Assuming 15 lots per annum are taken up to 2030 and 18 lots per annum thereafter, the subject land could provide for 14 years' supply geared toward the affordable housing market.



## **INTERFACE MATTERS**

As outlined above, the Collingullie precinct is surrounded by agricultural land, predominantly used for livestock production (sheep) and broadacre cropping. An existing sewerage treatment facility is also located to the south-east of the subject land. These features present an interface consideration for the future development of the land.

As indicated previously, the existing village precinct comprises features that would naturally buffer the subject land to surrounding ongoing agricultural activity, including the sewerage treatment facility in the south-east, Bristol Street along the eastern side and The Rock-Collingullie Road along the western side. Additionally, the planning proposal identifies maintenance of a 400 metre buffer to the existing sewerage treatment facility located south-east of the subject land.

As indicated above, a minor amendment to Section 6 of the Wagga Wagga Development Control Plan 2010 (WWDCP) could support the intended outcomes of the Planning Proposal. In addition to guiding compatible development outcomes, controls could be implemented that address the primacy of agricultural land in proximity to the precinct and protect and manage the interface.

It is considered minor amendments to the DCP would provide detailed guidance to support the Planning Proposal and to ensure subsequent development can be designed to avoid land use conflicts. As such, existing rural land uses are protected, and landholders can exercise their operational needs actively and effectively.

It is considered that the planning proposal would not have unintended social, environmental, servicing or management impacts.

# **1 PART 1 OBJECTIVES OR INTENDED OUTCOMES**

This Planning Proposal is a response to the shire-wide strategic planning review undertaken by Council in the development of the Wagga Wagga Spatial Plan 2013-2043. The Spatial Plan identified investigation areas for potential urban and village development.

This land use strategy provided a platform to progress with more detailed consideration of the feasibility of a future rezoning to support sustainable growth of the Collingullie village. As a result, limited constraints to the rezoning of the land for village expansion were identified.

It is considered that the land presents a viable opportunity for village development and would directly contribute towards the vision for the village as determined by its residents and outlined in the Spatial Plan, and specifically the Rural Villages Plan.

The objectives of the Planning Proposal are:

- To facilitate additional housing opportunities in the Collingullie village,
- To increase the resident population of Collingullie to assist the sustainability of existing and future services and community facilities,
- To facilitate more affordable housing opportunities in the local government area,
- To meet community demand for larger residential lots, in a location that would not compromise future urban development, as supported by Council in the draft Activation Strategy.



## 2 PART 2 EXPLANATION OF THE PROVISIONS

The proposed outcome of the Planning Proposal would be achieved by amending the Land Zoning Map in the Wagga Wagga Local Environmental Plan 2010 that is relevant to the subject precinct.

It is proposed to rezone the subject precinct from RU1 Primary Production to RU5 Village, consistent with the controls for the adjacent land within the Collingullie village.

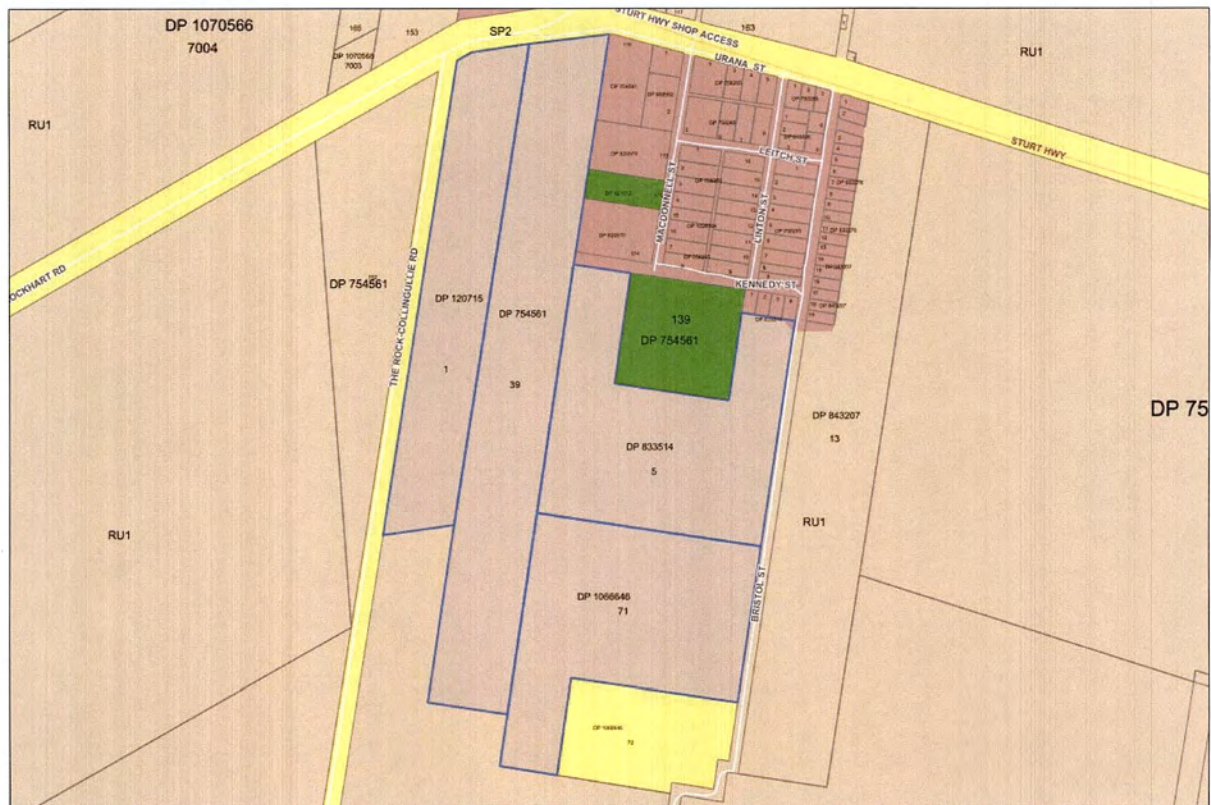


Figure 2-1 Existing land zoning map WWLEP 2010 (WWCC online mapping, 2019)



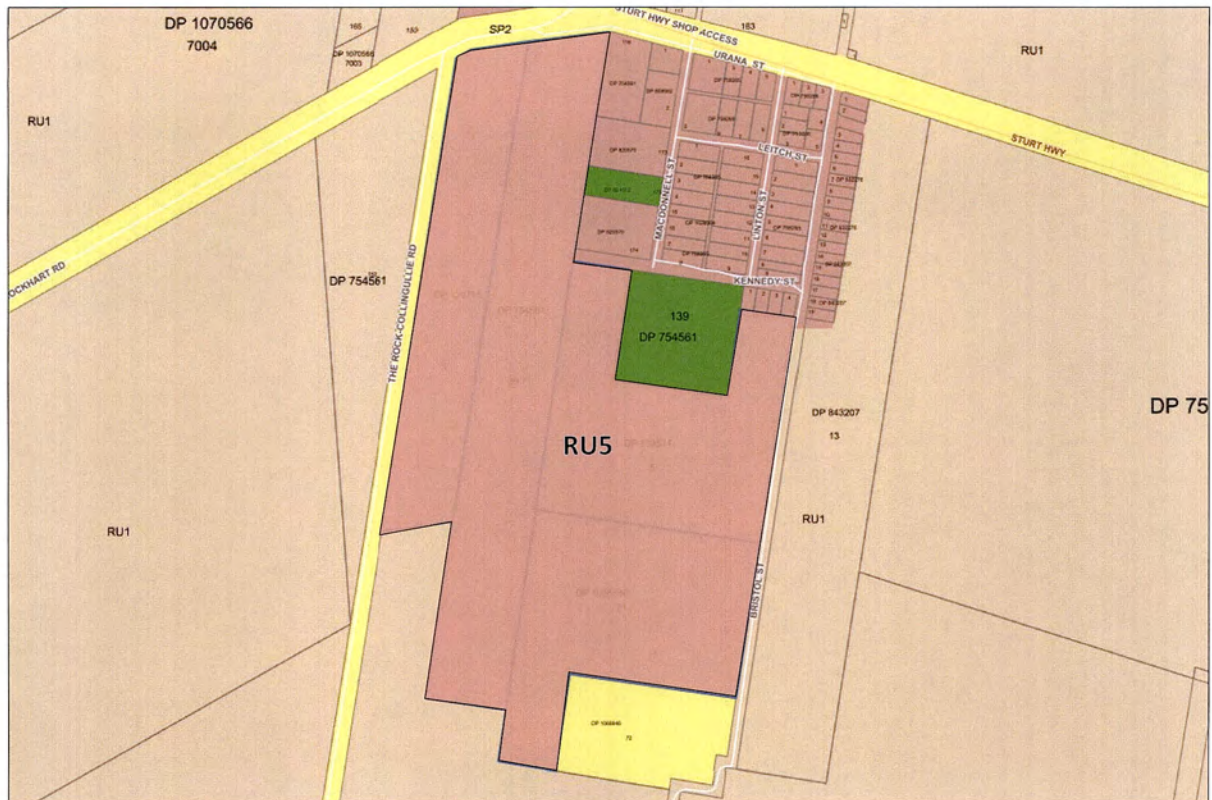


Figure 2-2 Proposed land zoning map WWLEP 2010 (WWCC, 2019)

The proposed outcome of the Planning Proposal would also be achieved by amending the Lot Size Map in the Wagga Wagga Local Environmental Plan 2010 that is relevant to land in the subject precinct.

It is proposed to replace the 200 hectare minimum lot size applicable to the subject precinct with no minimum lot size provisions, as shown in Figure 2-1 and Figure 2-2.

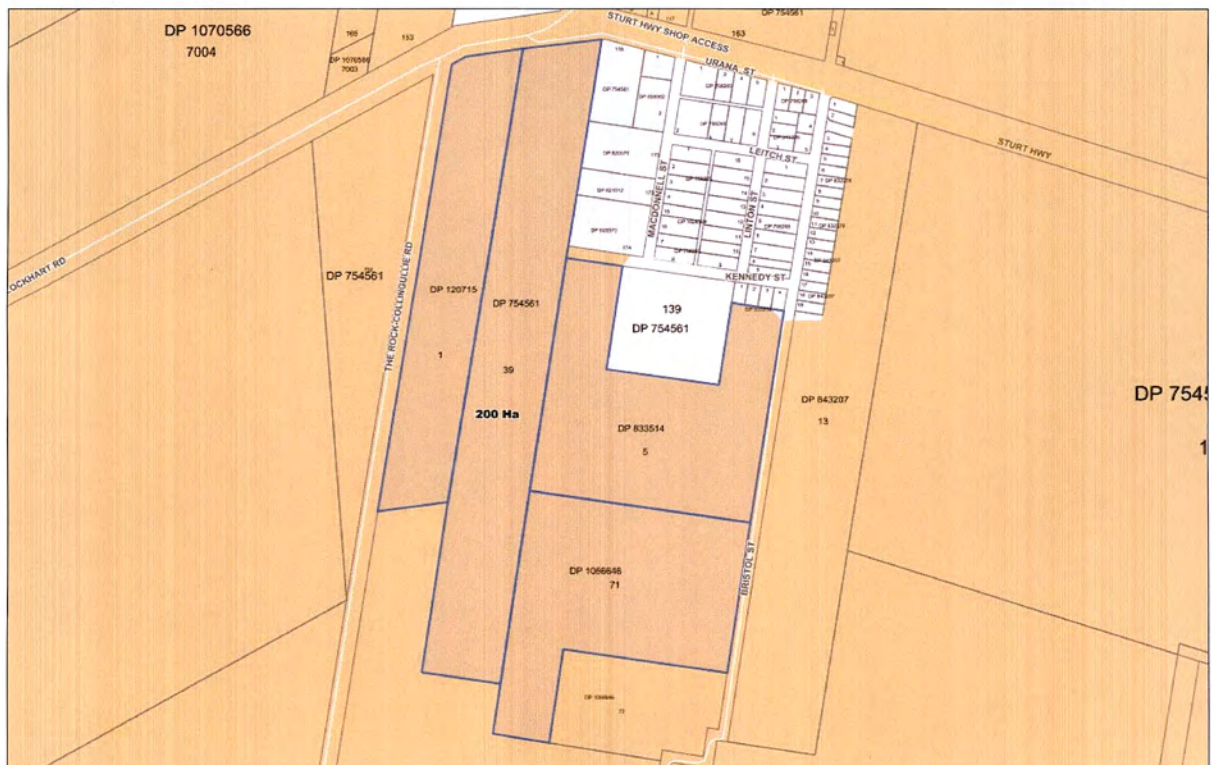


Figure 2-3 Existing minimum lot size map WWLEP 2010 (WWCC online mapping, 2019)



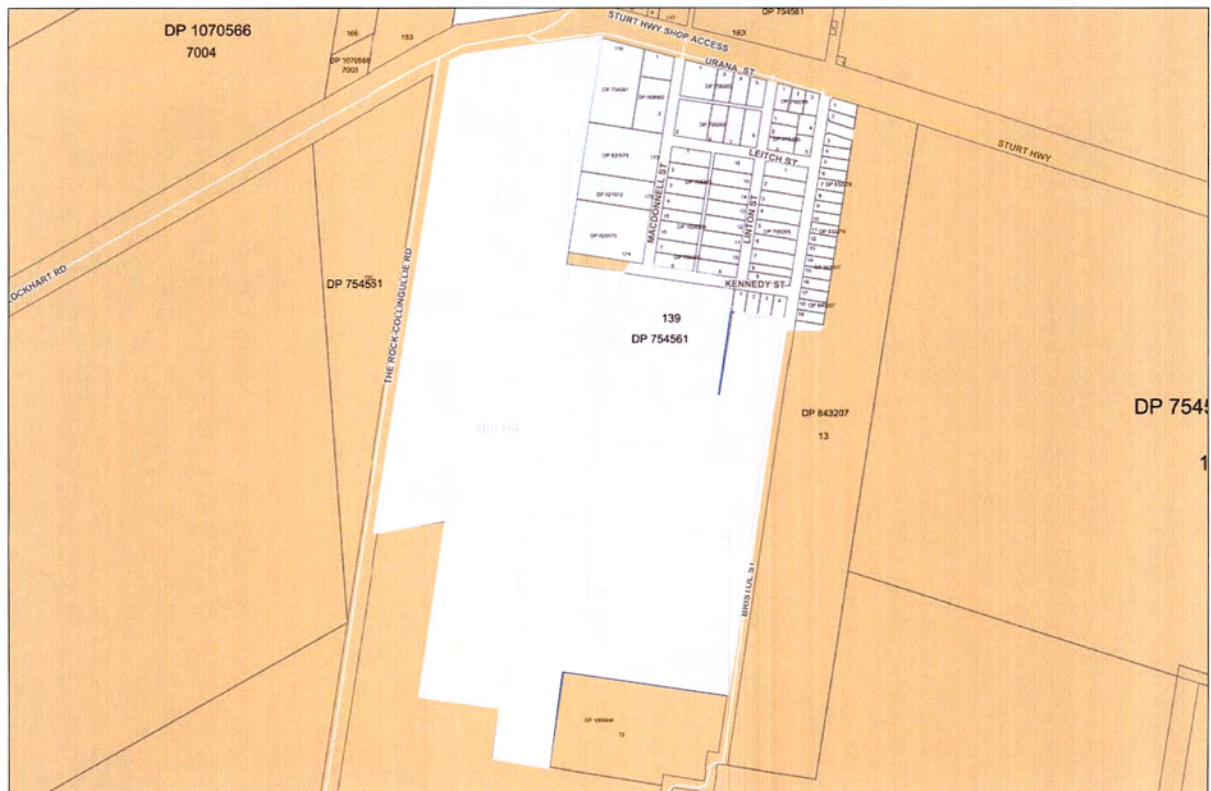


Figure 2-4 Proposed minimum lot size map WWLEP 2010 (WWCC,2019)

## 3 PART 3 JUSTIFICATION

### 3.1 SECTION A NEED FOR THE PLANNING PROPOSAL

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

The Planning Proposal is made in response to the Wagga Wagga Spatial Plan 2013-2043, a shire-wide strategic planning review that is endorsed by the Department of Planning Director-General. The Spatial Plan seeks to inform and manage urban growth and change in the LGA.

The Spatial Plan identified the subject precinct as being within an investigation area (Area 17) for potential future village development.

According to the Actions for Area 17 in the Spatial Plan, *“any future development of the subject area is to be done in consultation with the Roads and Maritime Services to ensure there is no access to the Sturt Highway and minimal access to the classified roads is provided”*.

As outlined earlier in this report, the subject precinct does not have frontage to the Sturt Highway and an access point would additionally be denied. It is considered the existing and potential future road network can be configured to avoid operational impacts on the Sturt Highway and other nearby classified roads.

This land use strategy provided an opportunity to progress with more detailed consideration of the feasibility of a future rezoning to support sustainable growth of the Collingullie village. As a result, limited constraints to the rezoning of the land for village expansion were identified.

The Planning Proposal would rezone the subject land and provide an opportunity for the village vision to be achieved. The vision, as determined by its residents and outlined in the Spatial Plan, and specifically the Rural Villages Plan, outlines a desire for growth whilst maintaining the rural character. It is considered that the subject precinct would present a viable opportunity for sustainable village expansion with few environmental concerns present.

It is noted that the Planning Proposal expands on the Area 17 potential development area (Figure 4) to include the full extent of Lot 1 DP120715, Lot 39 DP754561, Lot 5 DP833514 and Lot 71 DP1066646. The extent of Area 17, as identified in the Spatial Plan, is understood to be indicative only and was not determined as a result of site-specific investigations.

The proposed precinct represents a cohesive landholding, under a single ownership. The land would support a natural extension of the established village towards the south and west. The proposed precinct is considered to be suitable for further strategic analysis, with a view to rezoning. The inclusion of the full area of these holdings would provide a comprehensive, flexible approach, to provide for the efficient management of the progressive interface of the village, agricultural activities and buffers under private ownership.

The inclusion of Lot 20 DP843207, to the east of Bristol Street, was initially considered. However, it is understood that in the development of Bristol Street a 150 metre buffer to productive agricultural land to the east was established. Bristol Street carriageway is considered to define the precinct boundary. The management of this interface would be key to avoiding potential land use conflicts arising whilst the village is under expansion. Therefore, it is not proposed to include Lot 20 DP843207 with the proposed LEP amendments.



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

#### **Land Zoning Map**

Yes, an amendment to the Land Zoning Map of the Wagga Wagga Local Environmental Plan 2010 is the only means of giving effect to the objectives of the Planning Proposal. The land is currently zoned RU1 Primary Production. Village-style residential development is the desired future land use for the precinct and the intended outcome cannot be achieved without a change to a zone that facilitates residential development. The retention of the RU1 Primary Production zone with a smaller minimum lot size would not effectively communicate the desired land use character for the precinct through the planning controls.

Given the existing zone within the Collingullie village is RU5 Village, the RU5 zone is also considered the most appropriate for this Planning Proposal, in consideration of the strategic directions of the Spatial Plan. The Rural Villages Plan indicates that preservation of the rural character with the village growth is a priority for the community. The RU5 Village zone would be best suited to this, in comparison to other residential zones.

The Planning Proposal acknowledges the existing sewerage treatment facility to the south of the subject precinct as a key consideration. It is proposed that a 400 metre buffer would be established around the sewerage treatment facility. The establishment of any dwellings within the buffer would be denied.

The Planning Proposal indicates the rezoning of the full area of Lot 1 DP120715, Lot 39 DP754561, Lot 5 DP833514 and Lot 71 DP1066646, comprising the subject precinct. This is intended to maintain flexibility in the detailed design and strategic planning for the precinct, and to ensure the efficient use of serviceable land and cost-effective infrastructure.

Within the buffer, compatible land uses would be considered, such as recreation and conservation reserves, public infrastructure, agriculture and small-scale production. There may be opportunity for larger lots adjoining the sewerage treatment facility, with building envelopes and Section 88B instrument restrictions imposed to prevent the erection of a dwelling within the buffer.

Any future village development would be subject to a detailed assessment process by Council upon submission of a development application. The development application would be supported by evidence that an acceptable level of amenity could be achieved for any proposed dwelling in proximity to the sewerage treatment plant. The discussion above indicates that this would be achievable.

#### **Lot Size Map**

An amendment to the Lot Size Map of the Wagga Wagga Local Environmental Plan 2010 is also necessary to give effect to the intended outcomes of the Planning Proposal. The existing minimum lot size applicable to the subject land is 200 hectares. The subject precinct comprises four existing lots with a collective area of 53 hectares. There is no subdivision potential under existing controls.

A range of minimum lot sizes was considered in the development of this Planning Proposal in order to maintain the desired rural character of the area. However, the existing RU5 village zone in Collingullie and other villages does not have a minimum lot size imposed under the LEP. Additionally, there is no minimum lot size applied within the urban area of Wagga Wagga. This maintains flexibility for future development whilst the desired development density is communicated through the objectives and controls of the Wagga Wagga Development Control Plan 2010.

Section 6 of the Wagga Wagga Development Control Plan 2010 (WWDCP) relates to development in the villages. The DCP controls require that development respects the existing subdivision pattern within the



Collingullie village, which is comprised by 'quarter-acre' blocks in a grid pattern. In particular, "the size and shape of new lots is to be compatible with the predominant characteristics of existing lots in the village". Therefore, it is considered appropriate that future density would be controlled through DCP provisions, consistent with the approach for other urban and village areas within the LGA.

To support this approach, additional DCP controls for the Collingullie village precinct would be developed, to provide detailed guidance of future development outcomes. These controls would also ensure the objectives of the Planning Proposal are achieved at subdivision stage.

As outlined above, the Planning Proposal acknowledges the existing sewerage treatment facility to the south of the subject precinct as a key consideration. It is proposed that a 400 metre buffer would be established, where the establishment of any dwellings would be denied. A minimum lot size adjoining the sewerage treatment plant is not proposed as it has the potential to constrain innovative development outcomes. The removal of minimum lot size provisions is intended to maintain flexibility in the detailed design and strategic planning for the precinct, and to ensure the efficient use of land in proximity to infrastructure.

As outlined above, any future village development would be subject to a detailed assessment process by Council upon submission of a development application.

## **3.2 SECTION B RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

### **3.2.1 *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional, or district plan or strategy (including any exhibited draft plans or strategies)?***

The Riverina Murray Regional Plan 2036 is applicable to the subject land. The following Directions from the Plan are relevant to the Planning Proposal:

Table 3-1 Considerations under the Riverina Murray Regional Plan 2036

<b>Objectives</b>	<b>Comment</b>
<b><i>Direction 1 Protect the region's diverse and productive agricultural land</i></b>	<p>The Regional Plan identifies that the co-location of incompatible land uses can inhibit agricultural processes. Further, the fragmentation of agricultural land can also impact its productivity by limiting its ability to operate at a sufficient economic scale.</p> <p>It is noted that the subject precinct is already fragmented as it comprises four existing lots with a collective area of 53 hectares. Buffers would need to be incorporated into any future development given the existing sewerage treatment facility to the south-east of the subject land. In addition, Bristol Street and The Rock-Collingullie Road would also provide for a buffer between future development and surrounding agricultural developments. As outlined earlier in this report, a minor amendment to Section 6 of the Wagga Wagga Development Control Plan 2010 (WWDCP) would guide compatible development outcomes and manage the interface to prevent land use conflicts.</p> <p>It is considered minor amendments to the DCP could provide detailed guidance to support the Planning Proposal and to</p>



<b>Objectives</b>	<b>Comment</b>
	ensure the LEP amendments and subsequent development can be designed to avoid land use conflicts. As such, existing rural land uses are protected, and landholders can exercise their operational needs actively and effectively.
<b>Direction 15 Protect and manage the region's many environmental assets</b>	<p>Consistent. The subject land does not lie within an area of high environmental values. There are no aquatic habitats, geological features or conservation areas within or adjacent to the land.</p> <p>Additionally, the subject land is considered to be Category 1 Exempt Land under the Local Land Services Act 2016 (LLS Act). This is under consideration by the Office of Environment &amp; Heritage (OEH). The effect of this categorisation is that the land management is not regulated under the Act, as lawful historical clearing has occurred. As a result of this, limited biodiversity values are considered to remain.</p> <p>It is noted there are several isolated paddock trees within the proposal area; however, with the density of village development anticipated these could likely be retained within the footprint. Future applications for subdivision would be supported by an assessment against the prevailing biodiversity framework.</p>
<b>Direction 16 Increase resilience to natural hazards and climate change</b>	Consistent. The subject land is located away from areas of high biodiversity value, bushfire hazard, contaminated land, designated waterways and flooding. As outlined earlier, Collingullie is one of few villages in the LGA with no significant constraints or hazards.
<b>Direction 22 Promote the growth of regional cities and local centres</b>	<p>Consistent. The Riverina Murray Regional Plan 2036 reveals a need for Wagga Wagga (together with Albury and Griffith as the other major centres in the region) to shoulder a significant portion of the anticipated population growth and housing provision over the next 20 years.</p> <p>The Spatial Plan identifies that approximately 360 new dwellings are required in the LGA per annum, with demand for approximately 10-15 dwellings in Collingullie per annum rising to 12-18 dwellings in 2030.</p>
<b>Direction 26 Provide greater housing choice</b>	<p>Consistent. The Riverina Murray Regional Plan indicates the necessity to provide a wide range of housing options and locations to encourage housing mobility – both upsizing and downsizing as required - and to ensure that this can occur as needed by the community.</p> <p>The Planning Proposal has the potential to support the necessary level of housing provision across the LGA, as well as to service specific market segments such as affordable housing and larger sized housing lots.</p>

The 'Riverina Murray Regional Plan 2036' does not include Sustainability Criteria, as referenced in the DPE's 'A guide to preparing planning proposals'. As such, the Assessment Criteria in the guide are instead referenced to establish the merit of the Planning Proposal. The Assessment Criteria form the basis of the strategic merit and site-specific merit assessment for the rezoning review process.



As outlined earlier in this Planning Proposal, the Planning Proposal is justified on its strategic merit. The Planning Proposal would give effect to a relevant local strategic planning strategy, the Wagga Wagga Spatial Plan 2013-2043, which has been endorsed by the Department. This is further addressed in Section 3.2.2 below.

Additionally, several site-specific merit factors exist in relation to the Planning Proposal. Village development within the subject precinct would form a natural extension to the existing village of Collingullie. An analysis of the subject precinct identified the land to be largely free of environmental or hazard constraints such as biodiversity values, flooding, bushfire and the like. The land is generally level, which is conducive to village development. It also has access to physical and social infrastructure, given proximity to the existing established village area. These factors are discussed further in Section C of this Planning Proposal.

It is considered that the land presents a viable opportunity for sustainable village development. It would directly contribute towards the vision for the village, as determined in consultation with residents and outlined in the Spatial Plan, and specifically the Rural Villages Plan.

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

The Wagga Wagga Spatial Plan 2013-2043 is applicable to the subject land. The following Objectives from the Spatial Plan are relevant to the Planning Proposal. Considerations of the Wagga Wagga Spatial Plan are discussed in Table 3-2 below.

Table 3-2 Considerations under the Wagga Wagga Spatial Plan 2013-2043

<i>Objectives</i>	<i>Comment</i>
<b><i>Protect the biodiversity of Wagga Wagga Local Government Area</i></b>	<p>The subject land is considered to be Category 1 Exempt Land under the Local Land Services Act 2016 (LLS Act), subject to OEH agreement. The effect of this categorisation is that the land management is not regulated under the Act, as lawful historical clearing has occurred. As a result of this, limited biodiversity values are considered to remain.</p> <p>It is noted there are several isolated paddock trees within the proposal area; however, with the density of village development anticipated these could likely be retained within the footprint. Future applications for subdivision would be supported by an assessment against the prevailing biodiversity framework.</p> <p>The rezoning and potential future development of the land is not anticipated to have an impact on biodiversity values within the locality.</p>
<b><i>Manage impacts of natural systems and hazards, particularly salinity, flooding and bushfires</i></b>	<p>Consistent. The subject land is not within an area of natural hazards such as bushfire, flooding or salinity.</p>
<b><i>Accommodating population growth through adequate supplies of well planned residential land, providing a variety of housing options to achieve housing choice and affordability.</i></b>	<p>Consistent. The Planning Proposal has the potential to support the necessary level of housing provision across the LGA, as well as to service specific market segments such as affordable housing and larger sized housing lots.</p>



<b>Objectives</b>	<b>Comment</b>
<b>Facilitate the provision of physical infrastructure in a coordinated and cost-effective manner</b>	Consistent. The land is within an established urban area and has cost-effective access to public infrastructure.
<b>Facilitate improved efficiency of urban infrastructure such as water supply, wastewater management, stormwater management, electricity and telecommunications</b>	Consistent. The land is a natural expansion of the existing established area of the Collingullie village. It has access to essential services, including electricity, telecommunications, mains water, sewerage and drainage. Servicing of the land would not place an undue burden on the community.
<b>Accommodate the increasing demand for smaller homes</b>	Consistent. The Planning Proposal has the potential to support the necessary level of housing provision across the LGA as well as to service specific market segments such as affordable housing.

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

The following State Environmental Planning Policies are applicable to the Planning Proposal:

Table 3-3 Relevant State Environmental Planning Policies

<b>Relevant SEPPs</b>	<b>Comment</b>
<b>State Environmental Planning Policy No 55—Remediation of Land</b>	<p>The subject precinct is currently utilised for crop production and has likely been used historically in a similar manner. Agricultural use is specified in Appendix 2 of Council's Contaminated Land Policy which takes reference from the SEPP 55 Planning Guidelines.</p> <p>Low residual levels of agricultural chemicals may be present on the land; however, these would not be expected to pose a risk to human health. This would be confirmed by way of a contamination assessment, in accordance with SEPP 55 requirements, to support any future application for subdivision. It is considered there is no significant contamination evidence present on the subject land that should prevent the Planning Proposal from being supported in this regard.</p>
<b>State Environmental Planning Policy (Infrastructure) 2007</b>	<p>Clauses 101 and 102 of the State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) are considered to be of relevance to the Planning Proposal.</p> <p>Future development would involve land with frontage to classified regional roads, being Lockhart Road and The Rock-Collingullie Road. The Sturt Highway is located in proximity to the land, but there is no direct interface.</p> <p>Future application for subdivision would require the support of a traffic assessment to determine whether there would be opportunity to utilise existing roads and connections. The subject land and existing road network within the village would be configured to avoid operational impacts on the classified roads.</p>



<b>State Environmental Planning Policy (Primary Production and Rural Development) 2019</b>	<p>The State Environmental Planning Policy (Primary Production and Rural Development) is a new framework that simplifies the planning system by consolidating, updating and repealing provisions in five former agriculture-themed SEPPs, including the Rural Lands SEPP.</p> <p>Many of the provisions in the repealed SEPPs were local-level land use planning matters, which have now been transferred to local LEPs. The intent of the PRDD SEPP is to deal with agricultural land use matters of State or regional significance only.</p> <p>The subject land is not identified as State Significant Agricultural Land (SSAL).</p>
--	---

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

Yes. The following Ministerial Directions are applicable to the Planning Proposal:

Table 3-4 Consideration of Ministerial Directions

<i>Ministerial Directions</i>	<i>Comment</i>
<b>Direction 1.2 Rural Zones</b>	<p>The Planning Proposal would rezone the land from one rural zone RU1 to another, RU5. It would increase the permissible density of land on the fringe of the Collingullie village.</p> <p>The Planning Proposal would be considered inconsistent with the Direction. However, this is justified under the terms of the Direction by the Wagga Wagga Spatial Plan 2013-2043, which gives consideration to the objectives of this direction, identifies the subject land and is approved by the Director-General.</p> <p>The Spatial Plan identified part of the subject land as an area for potential future village development as identified earlier in Figure 4. It is considered that the subject land would present a viable opportunity for sustainable village expansion, with few environmental concerns present. The matters considered in the establishment of the precinct are outlined in Section 3.1.1.</p>
<b>Direction 1.5 Rural Lands</b>	<p>This Direction requires the Planning Proposal to be consistent with the applicable Regional Plan and any applicable local strategic planning statement. The proposal is consistent with the Riverina Murray Regional Plan, as outlined in Section 3.2.1. There is no applicable local strategic planning statement at this time.</p> <p>This Direction requires the Planning Proposal to consider the significance of agriculture and primary production to the State and rural communities, consider State Significant Agricultural Land (SSAL), support farmers in exercising their right to farm and prioritise efforts to minimise fragmentation of rural land and reduce the risk of land use conflict.</p> <p>It is noted that the subject land is already fragmented as it comprises four existing lots with a collective area of 53 hectares. The Planning Proposal would not fragment existing pastoral holdings and is not likely to have any unintended consequences of fragmentation.</p> <p>As outlined in Section 3.2.3, the subject land is not identified as State Significant Agricultural Land (SSAL).</p>



Ministerial Directions	Comment
	<p>Buffers would be incorporated into any future development, given the interface with primary production lands. The village precinct comprises features that would naturally buffer the subject land to surrounding ongoing agricultural activity, including the sewerage treatment plant in the south-east, Bristol Street along the eastern side and The Rock-Collingullie Road along the western side. Further, it is considered the LEP amendments and subsequent development can be designed such that existing rural land uses are protected and landholders are able to exercise their operational needs actively and effectively.</p> <p>This Direction requires the Planning Proposal identify and protect environmental values including biodiversity, native vegetation, cultural heritage and water resources. These matters are addressed in Section 3.3 of this Planning Proposal.</p> <p>This Direction requires the Planning Proposal to promote opportunities for investment in rural economic activities. In this regard, it is noted that the RU5 Village zone permits a wide range of land uses, services and facilities that contribute to the village economy. Additionally, one of the objectives of the Planning Proposal is to increase the residential population of Collingullie to assist the sustainability of existing and future services and community facilities. This would ensure that investments in rural economic activities are sustained by demand from the local community.</p> <p>This Direction also requires consideration of the matters under clause 3(b), being that the Planning Proposal is consistent with the priority of minimising rural land fragmentation and land use conflict and will not adversely affect the operation and viability of existing and future rural land uses and related enterprises. Fragmentation and land use conflict considerations are addressed above, in respect of clause 3(a) of the Direction.</p> <p>It is considered that should adequate buffers to surrounding agricultural land be established, the Planning Proposal would not adversely affect the operation and viability of existing and future rural land uses and related enterprises. The potential future development would utilise features such as the existing sewerage treatment plant in the south-east, Bristol Street along the eastern side and The Rock-Collingullie Road along the western side to establish and preserve the buffers.</p> <p>As outlined earlier in this report, minor amendments to the DCP could provide detailed guidance to support the Planning Proposal and to ensure the LEP amendments and subsequent development can be designed to avoid land use conflicts. As such, the operation and viability of existing and future rural land uses and related enterprises would be protected.</p> <p>This Direction outlines that departures may be justified where the Planning Proposal is consistent with a strategy that gives consideration to the objectives of this direction, identifies the subject land and is approved by the Director-General. The local strategy, the Wagga Wagga Spatial Plan 2013-2043, meets these provisions.</p>



<i>Ministerial Directions</i>	<i>Comment</i>
<b>Direction 3.1 Residential Zones</b>	<p>This Direction applies, given the Planning Proposal seeks to rezone RU1 land to RU5 Village, where substantial residential development is proposed to be permitted.</p> <p>This Direction requires that the Planning Proposal includes provisions that would encourage the provision of housing that will broaden the choice of housing, reduce the consumption of land on the urban fringe and make more efficient use of existing infrastructure and services. It is considered by way of its location and the anticipated size of the lots, the Planning Proposal would facilitate greater housing choice. It may also be likely to partly cater for affordable housing, given the lower residential lots. The Planning Proposal would meet demand for larger-type lots in a location away from the urban fringe. It would also make use of existing infrastructure and services in the Collingullie village, which can be cost-effectively extended to the subject land.</p> <p>Importantly, it would significantly add to the critical mass of the Collingullie village and sustain local facilities and services.</p> <p>The Planning Proposal must also contain a requirement that development not be permitted until the land is adequately serviced or satisfactory arrangements made.</p>
<b>Direction 3.4 Integrating Land Use and Transport</b>	<p>The Planning Proposal is considered to be broadly consistent with the Principles of 'Improving Transport Choice — Guidelines for planning and development' which are cited as providing and maintaining compact centres, providing connectivity and designing to facilitate pedestrian and cyclist access.</p> <p>The subject precinct would provide a natural extension of the Collingullie village, ensuring the compact and cohesive form of the village is maintained, consistent with Principle 1. Social and physical infrastructure is established in the village and these key land uses would be within walking and cycling distance of the subject land, consistent with Principle 6. Additionally, sustainable growth would increase the critical mass of the village and assist in attracting other necessary services and facilities for residents, consistent with Principle 2.</p> <p>Consistent with Principle 5, the street network structure would likely be continued throughout the subject land, maintaining legibility and efficient movement through the village. It is intended that pedestrian and cycling networks would be provided with the potential future development, consistent with Principle 7. This could also provide an opportunity to filter these through the established area.</p> <p>This Direction outlines that departures may be justified where the Planning Proposal is consistent with a strategy that gives consideration to the objectives of this direction, identifies the subject land and is approved by the Director-General. The local strategy, the Wagga Wagga Spatial Plan 2013-2043, meets these provisions.</p>
<b>Direction 5.10 Implementation of Regional Plans</b>	<p>The Planning Proposal is seen as consistent with the Riverina Murray Regional Plan, as outlined in Section 3.2.1.</p>





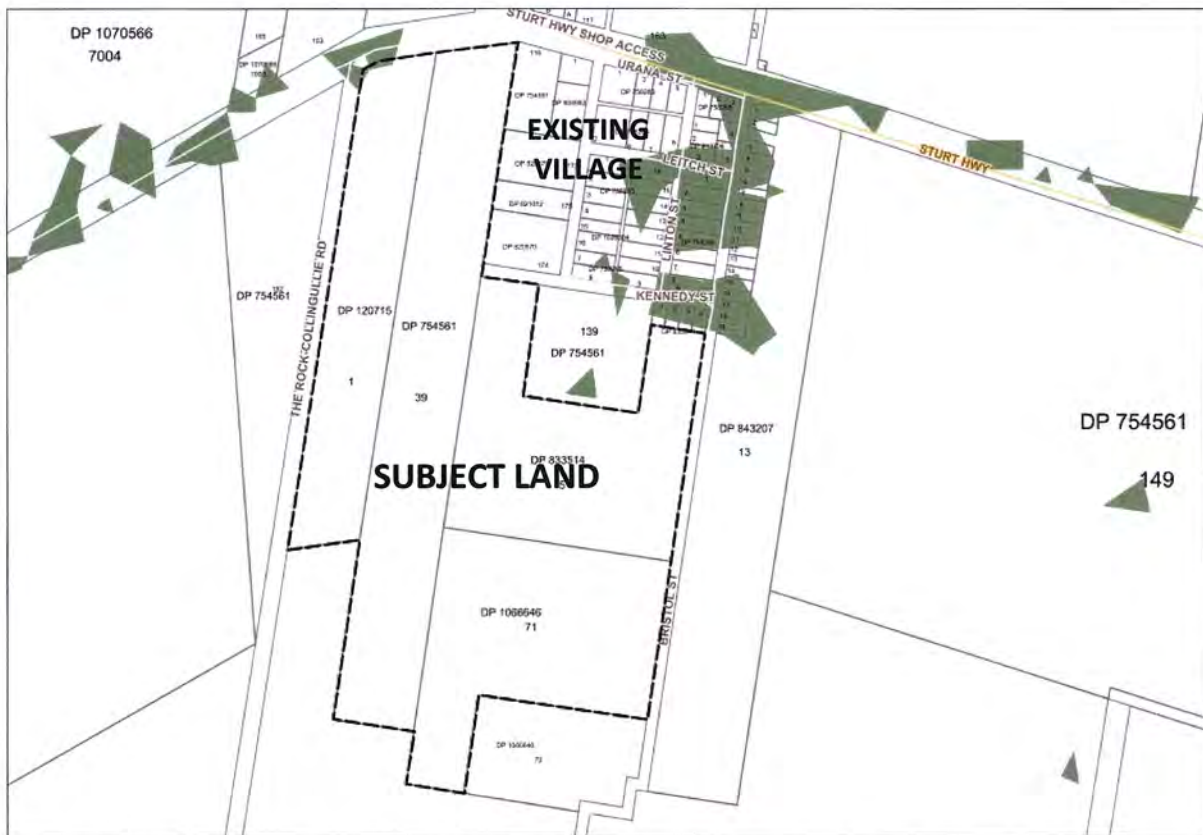


Figure 3-2 Terrestrial Biodiversity Map WWLEP 2010 (WWCC online mapping, 2019)

Additionally, the subject land is considered to be Category 1 Exempt Land under the Local Land Services Act 2016 (LLS Act), which is subject to OEH agreement. The effect of this categorisation is that the land management is not regulated under the Act, as lawful historical clearing has occurred. This has occurred in connection with agricultural activity over a period of at least 100 years. As a result of this, limited biodiversity values are considered to remain.

There are several isolated paddock trees within the proposal area; however, with the density of village development anticipated, these could likely be retained within the footprint. Future applications for subdivision would be supported by an assessment against the prevailing NSW and Commonwealth biodiversity framework.

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

The subject land is not mapped as vulnerable land, prone to landslip, or bushfire prone according to Council records. The land is not subject to riverine or overland flow flooding. Collingullie is one of the least-affected by hazards and other environmental constraints.

The subject land is currently utilised for broadacre cropping and has likely been used historically in a similar manner. Agricultural use is specified in Appendix 2 of Council's Contaminated Land Policy which takes reference from the SEPP 55 Planning Guidelines. Low residual levels of agricultural chemicals may be present on the land; however, these would not be expected to pose a risk to human health. This would be confirmed by way of a contamination assessment in accordance with SEPP 55 requirements as part of any future development application. It is considered there is no significant contamination evidence present on the subject land that should prevent the Planning Proposal from being supported in this regard.



Matters concerning Aboriginal cultural heritage have been considered and a search of the AHIMS register was conducted. No Aboriginal sites are recorded within the subject land and there are no Aboriginal places declared within the precinct. Twenty Aboriginal sites, understood to be culturally modified (scar) trees, have been recorded within a 1000m buffer of the subject land.

There are a small number of isolated paddock trees within the proposal area, which could potentially be scar trees. However, with the density of village development anticipated, it may not be necessary to remove these trees. Future applications for subdivision would be supported by further Aboriginal cultural heritage investigations to adequately identify and address any impacts. Specifically, should the isolated trees be identified as scar trees, they would be retained within the footprint of future development.

### **3.3.3 *Has the planning proposal adequately addressed any social and economic effects?***

The **Rural Villages Plan** was developed by community members, groups and key stakeholders together with Council staff. Fundamental to the Plan were the desired visions for the villages, which came from the respective village communities themselves. The Plan sets the framework and platform for Council and the rural village communities to work together to implement the plan's initiatives.

The Collingullie community describes itself as a small, friendly and safe village, being a great place to live and ideal for raising children. The rural community around the village is engaged in sheep production and broadacre farming. Collingullie's vision, as voiced by the local community, is to further develop and grow the village whilst retaining its rural character.<sup>3</sup>

The Planning Proposal would be consistent with the desired outcomes, as determined by the Collingullie community in consultation with Council.

Collingullie village and surrounds, with a population of 399 persons, is the third largest of the rural localities after Uranquinty and Mangoplah. The precinct is supported by a range of community facilities and services including the Collingullie Store, The Crossroads Hotel, Church of St Michael Catholic Church, Collingullie Public School (currently closed but the infrastructure remains), Collingullie Rural Fire Service brigade, the Crossroads AFL oval and the Collingullie Soldiers' Memorial Hall.

A vision of growth was supported for the Collingullie village, according to the directions identified in the draft Wagga Wagga Activation Strategy 2040. The village would benefit socially and economically, through maintaining and increasing the viability of services and community facilities.

According to id.Community data for the Wagga Wagga LGA, average household expenditure in 2017/18 was \$141,091. Based on the theoretical number of developable lots, facilitating growth of the Collingullie village could provide a direct economic benefit of over \$32 million per annum at full development capacity. A proportion of this would be directly in the village, such as the convenience store (and the highway service centre, currently being assessed by Council), the Crossroads Hotel and the exchanges of other goods and services between residents.

The Planning Proposal would therefore provide social and economic benefits in the form of sustaining demand for these commercial activities and other community facilities, ensuring their ongoing service to the community. Critical mass in the Collingullie village could also attract the establishment of other important services and facilities such as medical services, childcare services and the like.

---

<sup>3</sup> Rural Villages Plan 2010 Collingullie (WWCC)



The potential for additional village living opportunities and enhanced housing choice is considered of social benefit to the community. As outlined earlier in this Planning Proposal, the subject land may provide for approximately 232 lots, based on an average yield of 8 dwellings per hectare (1250sqm lots) and subject to rezoning and detailed design.

The Spatial Plan identifies that approximately 360 new dwellings are required in the LGA per annum. Trends over 2003-2013 indicate that approximately 35 new dwellings have been provided per annum in the villages. The Spatial Plan identifies that Collingullie, Mangoplah and Uranquinty are anticipated to account for most of the growth across the villages of the LGA.

Conservatively, Collingullie could account for the provision of 10-15 lots per annum, rising to 12-18 lots by 2030, adopting the anticipated 2 percent growth rate identified in the Spatial Plan. Based on a rate of 10 lots per annum, the subject land could provide for 23 years of supply, noting that 23 years is the planning horizon the Spatial Plan was developed upon. Based on a higher demand rate of 15 lots per annum to 2030 and 18 lots per annum thereafter, the subject land could theoretically provide for 14 years' supply.

The Planning Proposal would result in the loss of approximately 53 hectares of agricultural land, currently and historically dedicated to cropping and sheep grazing. Agriculture is important to this community, with 22 percent of residents in the Collingullie locality employed in the agricultural sector.

As indicated in the figure below, the land is classified as Class 2 land under the Agricultural Suitability classification system developed by the Department of Agriculture (1981). **Class 2 land** is described as *"Arable land suitable for regular cultivation for crops but not suited to continuous cultivation. It has a moderate to high suitability for agriculture but edaphic (soil factors) or environmental constraints reduce the overall level of production and may limit the cropping phase to a rotation with sown pastures"*.

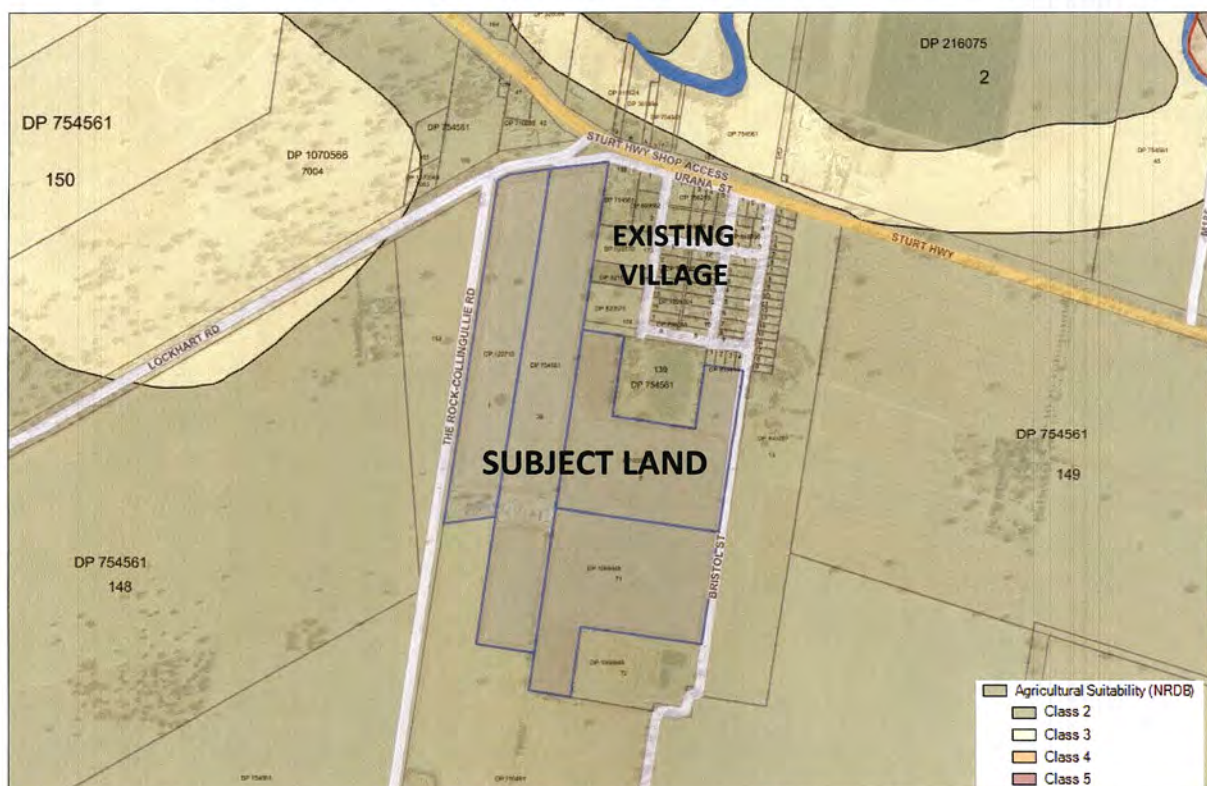


Figure 3-3 Agricultural Suitability Map indicating the land and surrounds (WWCC Online Mapping, 2019)



The land is classed as productive agricultural land. The loss of agricultural land can have economic and social effects on communities, through loss of direct expenditure, loss of indirect expenditure on supporting and related enterprises, progressive changes to the character or identify of the locality, loss of relationships within the community. Other impacts include potential isolation of agricultural land and reduction in the productive capacity of agricultural land.

The land is located immediately adjacent to the village and is adjoined by other agricultural land to the east and south. As indicated above, a minor amendment to Section 6 of the Wagga Wagga Development Control Plan 2010 (WWDCP) would guide compatible development outcomes and protect the operation and viability of existing and future rural land uses and related enterprises in proximity.

A significant area of Class 2 land remains within the Collingullie and surrounding localities, as indicated in Figure 3-5 below.

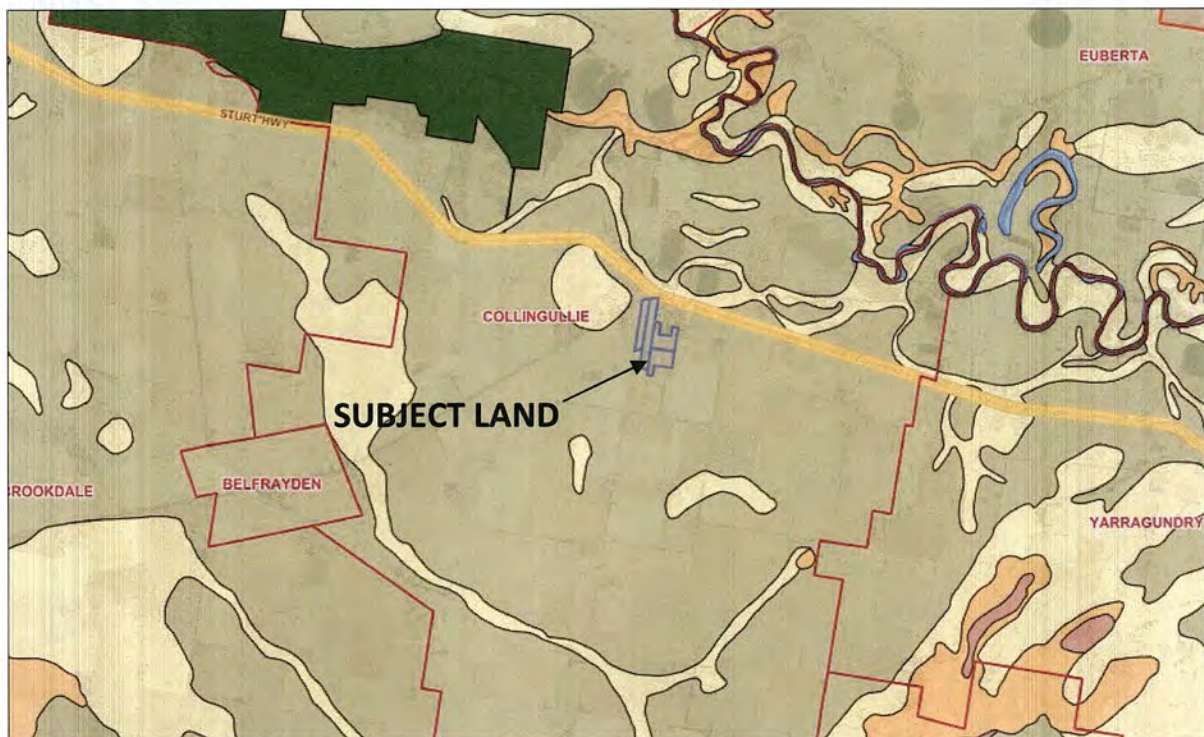


Figure 3-4 Agricultural Suitability Map indicating wider locality (WWCC Online Mapping, 2019)

The Planning Proposal would not comprise land identified as Biophysical Strategic Agricultural Land (BSAL), under the provisions of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*. The subject precinct is not in close proximity to BSAL, identified in the green layer in Figure 3-5 on the following page. It is considered that the potential future development of the land would not impose on the productive capacity of these lands.



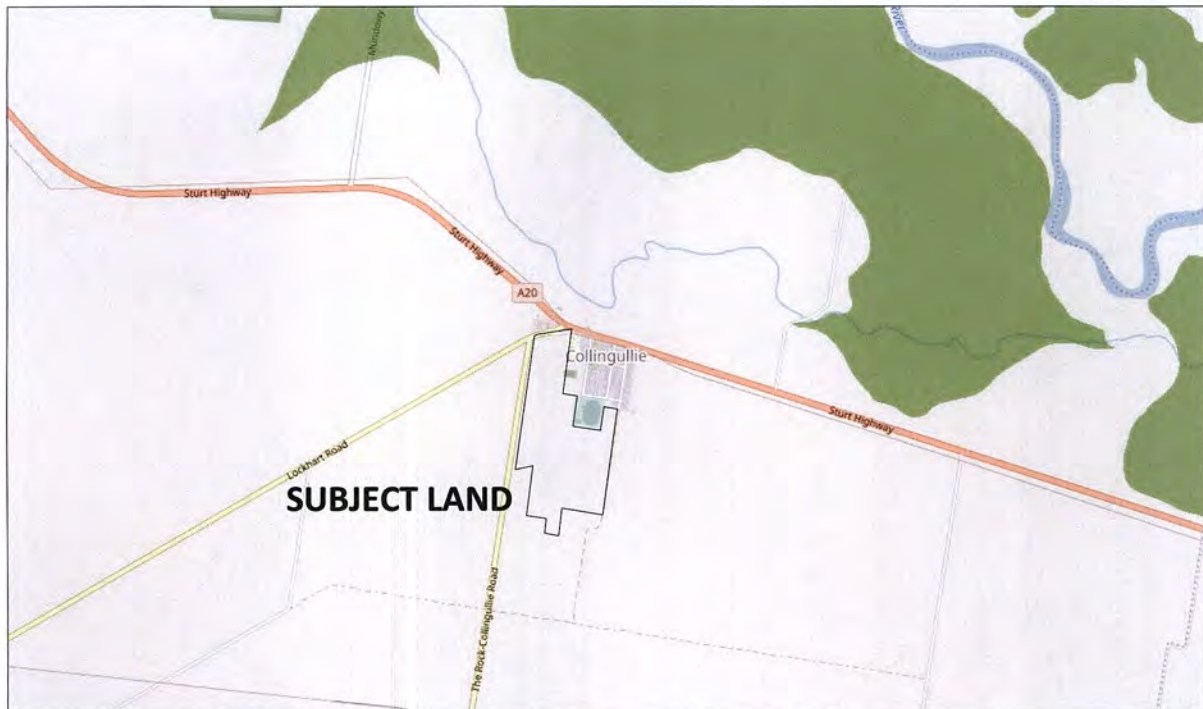


Figure 3-5 Biophysical Strategic Agricultural Land map (SEED portal, 2019)

It is considered the Planning Proposal would not have widespread or significant impacts as a result of the loss of 53 hectares of agricultural land. The direct loss of agricultural land to the community would be outweighed by substantial economic and social benefits, including estimated household expenditure of over \$32 million per annum at full development capacity. Other important benefits would arise through sustained demand for commercial activities, community services and infrastructure and the critical mass to attract other facilities and services to establish within the village.

Consideration has been given to the potentially sensitive interface issues with surrounding land uses surrounding agricultural land (predominantly used for sheep production and broadacre cropping) and the sewerage treatment facility to the south-east of the subject precinct.

It is proposed that a 400 metre buffer would be established around the sewerage treatment facility. The establishment of any dwellings within the buffer would be denied. Within the buffer, compatible land uses would be considered, such as recreation and conservation reserves, public infrastructure, agriculture and small-scale production. There may be opportunity for larger lots adjoining the sewerage treatment facility, with building envelopes and Section 88B instrument restrictions imposed to ensure no dwelling could be erected within the buffer.

Any future village development would be subject to a detailed assessment process by Council upon submission of a development application. The development application would be supported by evidence that an acceptable level of amenity could be achieved for any proposed dwelling in proximity to the sewerage treatment plant. The discussion indicates that this would be achievable.

As outlined earlier in this report, a minor amendment to Section 6 of the Wagga Wagga Development Control Plan 2010 (WWDPCP) would guide compatible development outcomes. This would ensure the agricultural potential of adjoining land would not be compromised or reduced. The sewerage treatment facility buffer, together with the physical separation provided by Bristol Street along the eastern side and The Rock-Collingullie Road along the western side of the subject precinct, would define the interface with agricultural land. Through sensitive design and control of appropriate buffers, the Planning Proposal would not adversely affect the operation and viability of existing and future rural land uses and related



enterprises. As such, landholders can exercise their operational needs actively and effectively (the 'right to farm').

It is considered that the planning proposal would not have unintended social, environmental, servicing or management impacts.

### 3.4 STATE AND COMMONWEALTH INTERESTS

#### 3.4.1 Is there adequate public infrastructure for the planning proposal?

The subject site is currently serviced by electricity, telecommunications and mains water supply. The site is currently served by an effluent disposal system and informal drainage.

Given the land adjoins the established village precinct, public infrastructure can be cost-effectively and efficiently extended for potential future development. Public utility assets for electricity, telecommunications, mains water supply and sewerage are located within the village and along adjacent main roadways.

The subject precinct is accessible land, given the surrounding major roads and village streets. Future applications would be supported by modelling and assessment to determine the most appropriate road connections for both the initial stages of development and progressively over time.

Future development would be designed to avoid operational impacts on existing roads. Where treatments are required, costs would be borne by the proponent of the development.

It is understood several existing streets are Crown roads (Crown land is indicated in the orange and pink layers in Figure 3-5 below). Therefore, Crown Lands may need to be consulted as part of the Planning Proposal.

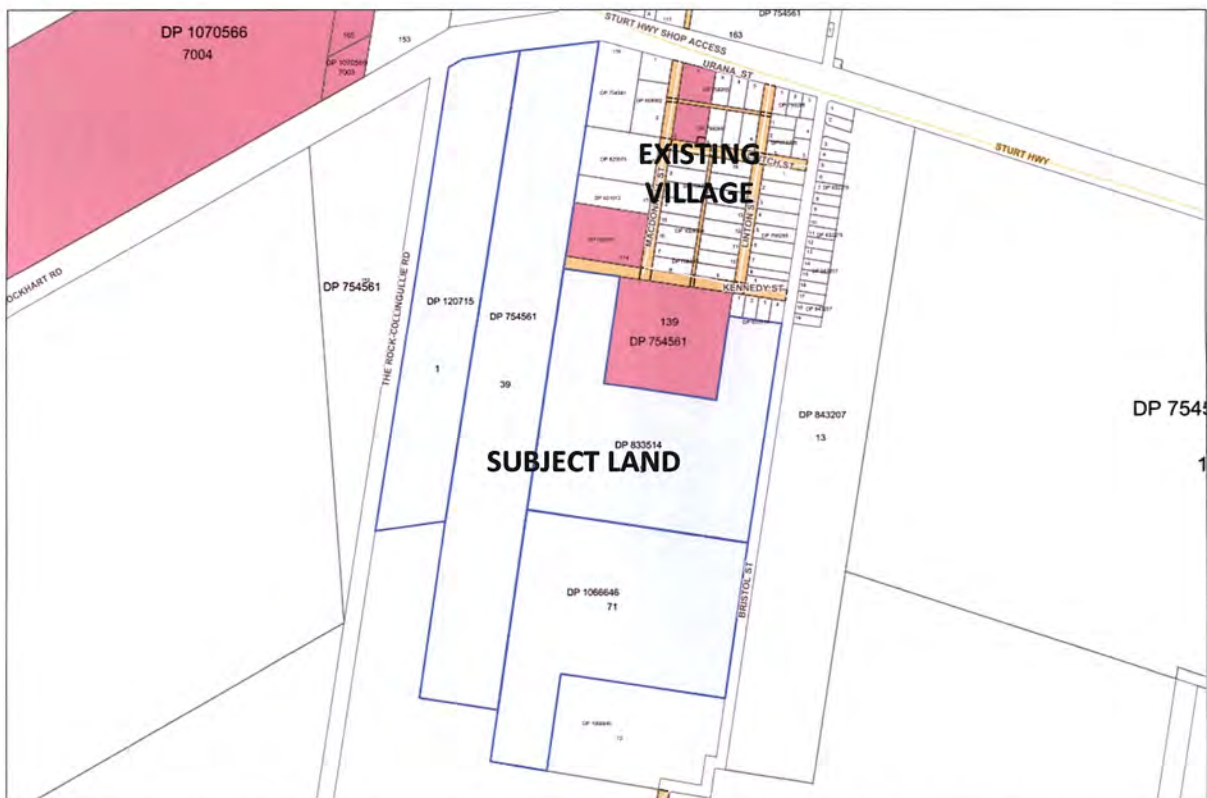


Figure 3-6 Map of Crown roads and reserves in proximity to the subject land (WWCC online mapping, 2019)

The actions for the subject precinct outlined in the Wagga Wagga Spatial Plan 2013-2043 state that “any future development of the subject area is to be done in consultation with the Roads and Maritime Services to ensure there is no access to the Sturt Highway and minimal access to the classified roads is provided”. Given the existing configuration of the road network within the village, no additional access points to the Sturt Highway would be necessary.

There is no dedicated cycleway or footpath network within the established area of the village. It is intended that infrastructure for pedestrians and cyclists would be provided with the potential future development. This could also provide an opportunity to filter these through the established area.

The existing Collingullie village and part of the subject land is covered by the ‘Wagga Wagga City Council Development Servicing Plan No. 1 Sewerage Services’, as indicated in the figure on the following page. The Plan states that “Collingullie is serviced using a pressured sewerage system, discharging to an oxidation lagoon sewerage treatment plant. The network has ample capacity for growth”.



Figure 3-7 Collingullie service area extracted from Wagga Wagga Development Servicing Plan No.1 Sewerage Services (Wagga Wagga City Council, 2013)

Further discussions with Council would be undertaken to confirm the capacity of the pressure sewerage mains and sewerage treatment plant; however, the Plan indicates that ample capacity beyond the current scope of the Plan is available. An amendment to the Plan would be required to identify the remainder of the subject precinct as being serviced land, for which a capital contribution towards sewerage headworks could be collected at the time of development.

The Collingullie locality, including the subject precinct, is not covered by the Wagga Wagga Stormwater Development Servicing Plan. Stormwater drainage would be in the form of swale drains, consistent with the servicing manner of the existing village. The potential future development of the subject land would



be compatible with the density of the existing village, therefore informal drainage is considered appropriate.

The subject precinct is covered by the Wagga Wagga Local Infrastructure Contributions Plan 2019. Should the proposed rezoning be supported, a Section 7.11 contribution would be levied on the development in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*. The contributions would go toward the physical infrastructure and community facilities outlined in the Plan.

The village is not currently served by a municipal waste collection; however, a rural waste transfer station is located at Collingullie. Council undertakes periodic reviews to monitor the viability of increasing the municipal waste collection to serve Collingullie.

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

Consultation with any relevant State and Commonwealth public authorities would be conducted post-gateway determination as necessary.

It is anticipated that it would be necessary to consult with the Office of Environment & Heritage in relation to environmental matters and Roads & Maritime Services in relation to surrounding classified roads.

The Planning Proposal may impact on several existing streets within the village, identified as being Crown Roads (Figure 3-5). Therefore, consultation with Crown Lands may also be necessary.

## **4 PART 4 MAPPING**

Proposed LEP maps are included within this Planning Proposal to the requirements of the Department of Planning and Environment's Standard Technical Requirements for LEP maps.

Other maps and figures are included in this Planning Proposal to assist in interpretation and understanding of the proposed objectives and outcomes.

It is anticipated that the Planning Proposal would result in amendments to the following LEP map sheets:

- Land Zoning Map LZN\_001C,
- Lot Size Map LSZ\_001C.

## **5 PART 5 COMMUNITY CONSULTATION**

Community consultation would be undertaken in accordance with the directions outlined in the Gateway Determination.

## **6 PART 6 PROJECT TIMELINE**

The project timeline would be prepared by Council.