

Wagga Wagga City Council

Planning Proposal LEP20/0007

Amendment to the Wagga Wagga Local Environmental Plan 2010

Part Lot 199 DP 1206757

Part Lot 6013 DP 1209232

Part Lot 43 DP 1225666, Estella, Wagga Wagga

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INTRODUCTION

This Planning Proposal is prepared pursuant to Section 3.33 of the Environmental Planning and Assessment Act 1979. It seeks an amendment to the Wagga Wagga Local Environmental Plan 2010.

The northern suburbs of Wagga Wagga (Boorooma, Estella and Gobbagombalin) are among the fastest growing residential areas within the city, with the north if the city planned to receive significant residential growth in the future. The subject land area for this planning proposal is within the northern suburbs of Wagga Wagga. Council has collaborated with the owner-developer of the subject land on a neighbourhood design providing additional land for housing supply.

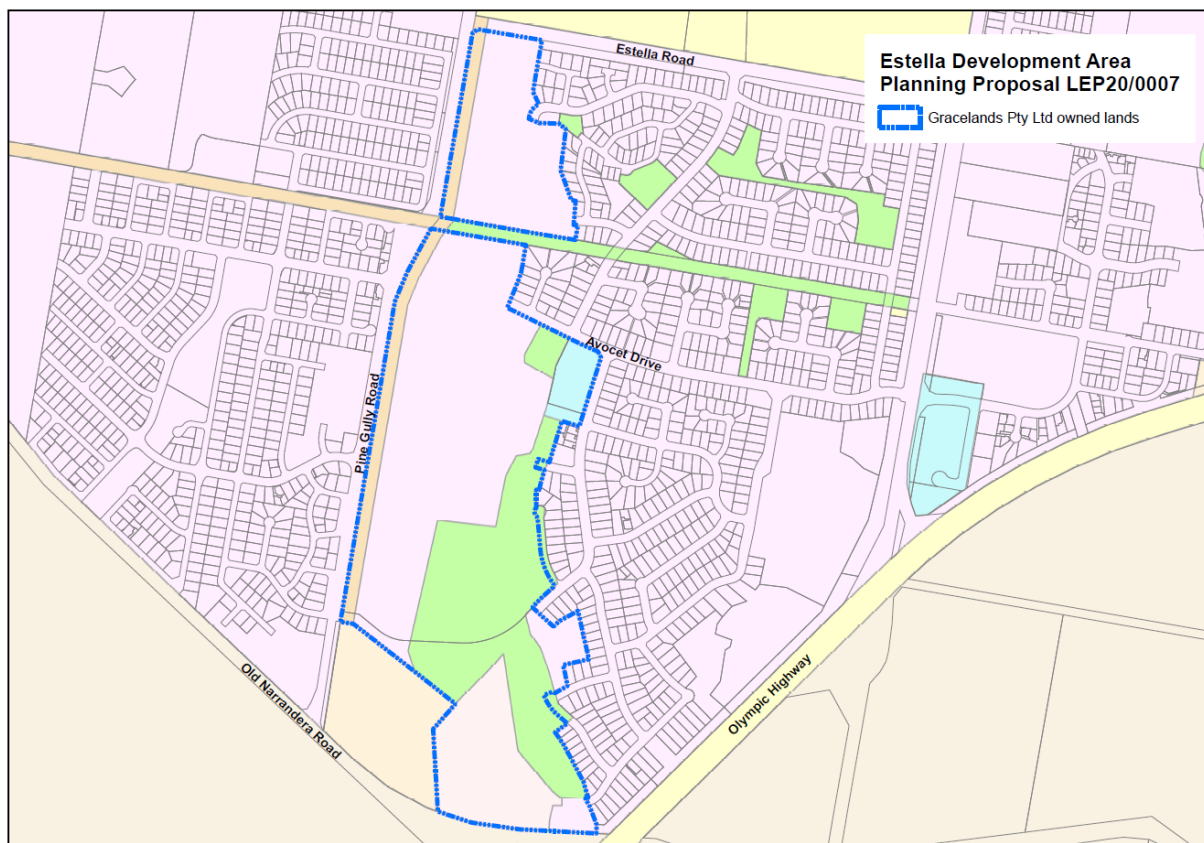
Having regard to Council's adopted strategies, the implementation of the design through this planning proposal will also:

- Enable improvements to neighbourhood design outcomes
- Strengthen and enlarge an existing environmental corridor
- Align open space to better reflect Council's contemporary open space strategy
- Enable superior design and provision of local shopping facilities at the existing site for this

To bring this neighbourhood design into effect, reconfiguration of land use zoning is required. The land subject to the planning proposal is illustrated in the figure below. It includes:

- Lot 199 DP 1206757
- Lot 6013 DP 1209232
- Lot 43 DP 1225666.

Figure 1 – Locality Map



This document has been prepared in accordance with the format prescribed by the NSW Department of Planning and Environment's Guideline 'A guide to preparing planning proposals'.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The intent of the planning proposal is to rezone land located in the western portion of the suburb of Estella. The rezoning of lands will achieve a superior configuration of land use zoning supporting enhanced neighbourhood design outcomes. There are several specific ways in which in the new configuration as per the planning proposal will improve upon the current provisions of the LEP:

- To rationalise the amount of open space provided in the area, to the extent intended by Council's pre-existing open space strategy
- To provide open space in a configuration which offers greater practicality for future residents' active travel and recreation needs.
- To provide open space alongside residential and business zoned land in a configuration that supports a superior neighbourhood design outcome and interface between these areas.
- To ready additional residential zoned land to meet ongoing housing demand, taking advantage of the reconfiguration of other zones to increase this allocation.
- To enlarge an existing environmental corridor with linkages to a broader environmental corridor network.
- To enlarge the business site at the corner of Avocet and Rainbow Drives to enable enhanced site design outcomes and a greater level of service provision and commerce in the area.

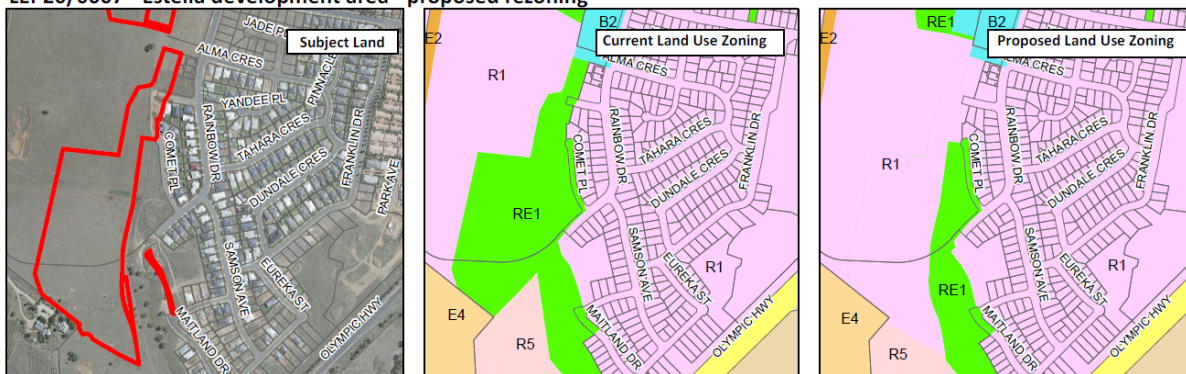
This planning proposal supports the intent of Council's endorsed Recreation, Open Space Strategy 2040, the recommendations of the draft Wagga Wagga Local Strategic Planning Statement and the intent of the draft Wagga Wagga Northern Growth Area Structure Plan.

PART 2 – EXPLANATION OF THE PROVISIONS

The planning proposal amends the provisions of WWLEP 2010 as follows:

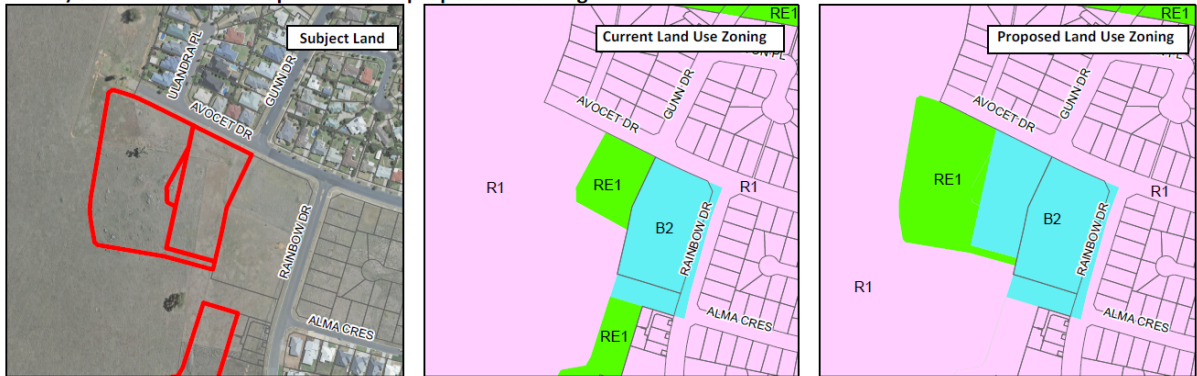
1. Rezoning part Lot 199 DP 1206757 and part Lot 6013 DP 1209232 from RE1 Public Recreation Zone and R5 Large Lot Residential Zone to R1 General Residential Zone, west and north of the eventual intended open space corridor. The boundary of the RE1 Public Recreation land with adjoining zones is also slightly adjusted in its southern portion within part Lot 6013 DP 1209232 to reflect the actual alignment of future roadways adjoining the open space corridor.

LEP20/0007 - Estella development area - proposed rezoning



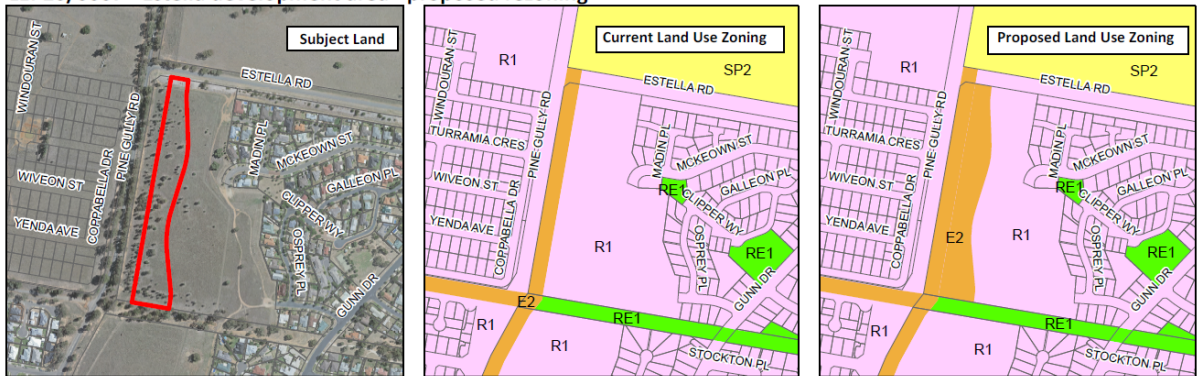
2. Rezoning part Lot 199 DP 1206757 (adjoining south of Avocet Drive) from RE1 Public Recreation and R1 General Residential to a revised configuration of B2 Local Centre and RE1 Public Recreation.

LEP20/0007 - Estella development area - proposed rezoning



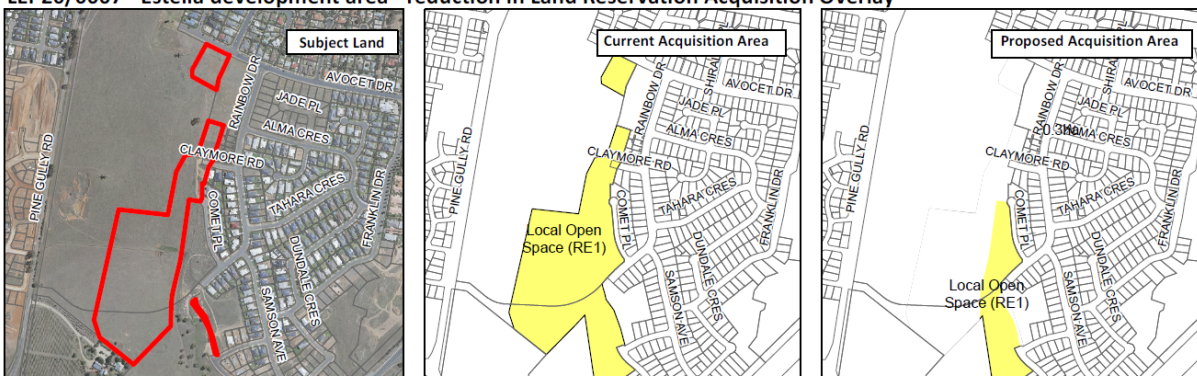
3. Rezoning of part Lot 43 DP 1225666 from R1 General Residential Zone to E2 Environmental Conservation Zone.

LEP20/0007 - Estella development area - proposed rezoning



4. Removing the Land Reservation Acquisition overlay applying to part Lot 199 DP 1206757 and to part Lot 6013 DP 1209232 from lands no longer intended for RE1 Public Recreation zoning as per points 1–3 above.

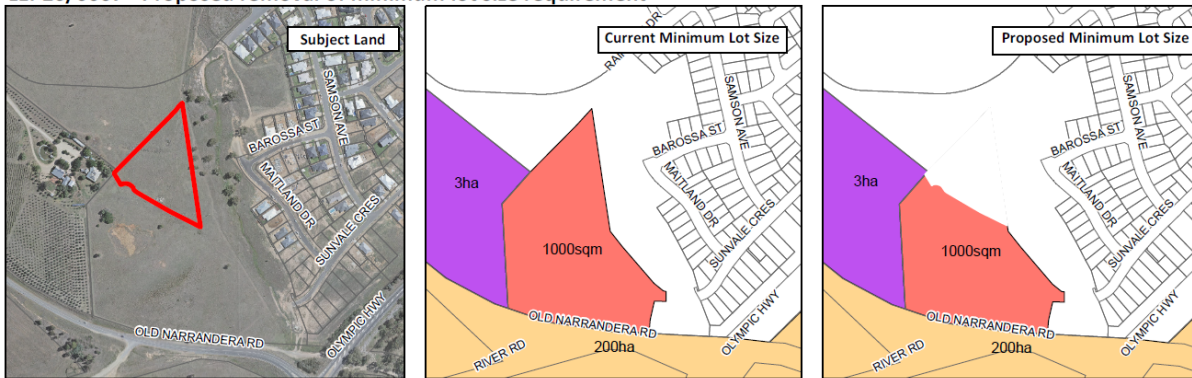
LEP20/0007 - Estella development area - reduction in Land Reservation Acquisition Overlay



5. Removing the minimum lot size requirement from lands at Lot 199 DP 1206757 rezoned from R5 Large Lot Residential zone to R1 General Residential zone as at point 1.

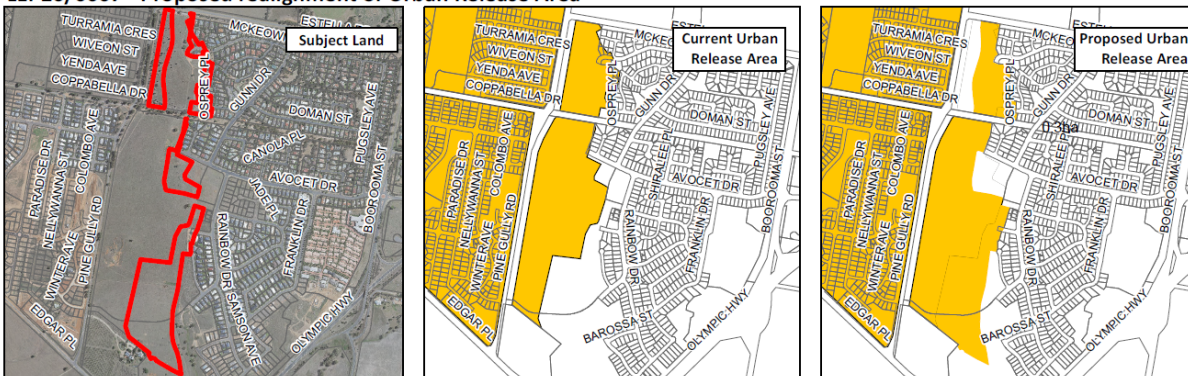


LEP20/0007 - Proposed removal of minimum lot size requirement



6. Adjustment to the area of the Urban Release Area to correspond to the revised bounds of the R1 General Residential Zone as at Points 1–3.

LEP20/0007 - Proposed realignment of Urban Release Area



The effect of these amendments is:

- A reduction of 7.6 hectares in RE1 Public Recreation land
- An increase of 5.84 hectares in R1 General Residential land
- An increase of 2.2 hectares in E2 Environmental Conservation land
- An increase of 0.92 hectares in B2 Local Centre land
- A reduction of 1.46 hectares in R5 Large Lot Residential land
- An increase of 1.46 hectares of residential land with no minimum lot size applying
- A reduction of 9.46 hectares in land subject to the Land Reservation Acquisition Overlay

Lands within the E2 Environmental Conservation and RE1 Public Recreation zones will be dedicated to Council as part of a future development application for subdivision.

PART 3 – JUSTIFICATION

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for implementation.

Section A – Need for the planning proposal

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

Yes. Council is currently exhibiting the draft Wagga Wagga Local Strategic Planning Statement. The LSPS provides a blueprint for how and where Wagga Wagga is to grow in future. The Northern



Growth Area is identified as the key location for residential urban growth for the period to 2040. The implementation of the Northern Growth Area in the short term future includes additional growth in the existing northern suburbs of Wagga Wagga, completing the development of these suburbs and delivering greatest benefit to the city and local residents.

Council is also in the process of developing a Northern Growth Area Structure Plan aligned to this outcome. The Plan supports the Local Strategic Planning Statement by identifying areas suitable for additional housing and directing improvements to the existing neighbourhoods of Boorooma, Estella and Gobbagombalin. This includes the realignment of roads, open space networks and zoning to ensure improved urban and environmental outcomes. It also directs the completion of the existing neighbourhoods including Estella to obtain additional housing opportunities in the near term.

The planning proposal also integrates the directions of the Recreation, Open Space and Community Strategy. ROSC has identified that the district park in Estella that was originally earmarked within the subject land on Lot 199 DP 1206757 and Lot 6013 DP 1209232 should instead be provided at the Peter Hastie Oval north of Estella Road. The amount of open space originally required within the Estella neighbourhood can therefore be reduced and lands rezoned to R1 General Residential Zone to address housing demand.

The planning proposal, whilst maintaining the intent of ROSC, also takes the opportunity to improve the configuration by which the remaining open space is provided in the south of Estella by departing slightly from the configuration indicated by ROSC. The planning proposal proposes to replace some open space around the Claymore Road area in a nearby location, with the reasoning for this detailed in discussion about ROSC 2040 later in this section.

Pursuing the intent of these strategies, the planning proposal seeks to enlarge an existing environmental corridor, rationalize the amount of existing open space and to provide additional residential zoned land consistent with the intent of the above-mentioned land use strategies being drafted for the city. Further background discussion of these relevant strategies is provided below.

1. Draft Wagga Wagga Local Strategic Planning Statement (on exhibition)

Wagga Wagga is experiencing significant change and population growth. The Local Strategic Planning Statement has been devised to guide the continuing growth of the city to the year 2040. As the city grows, the directions of the Local Strategic Planning Statement aim to ensure the prosperity and wellbeing of the city and its residents, while preserving the things that make Wagga Wagga an excellent place to live. The northern suburbs of the city are identified by the draft Local Strategic Planning Statement as the priority residential urban growth area over the next 10 to 20 years. These are among the fastest growing residential areas for the city and will continue to experience significant growth in coming years.

The 20-year Economic Vision for Regional NSW designates Wagga Wagga as a significant growth area. Wagga Wagga is nominated as a centre which could receive population growth sufficient to achieve a population of over 100,000 in the year 2038. To plan for population growth up to and including 100,000 over the long term future, consideration of where 14,000 additional homes shall be accommodated is provided. This will be best accommodated through a mix of greenfield and infill development that achieves a mix of affordable, well designed and adaptive housing that supports the future population. Even though the Local Strategic Planning Statement focusses on the next 20 years, it also identifies residential opportunities beyond 2040.

Completion of the remaining undeveloped portions of the existing northern suburbs of Boorooma, Estella and Gobbagombalin are the first component of the Northern Growth Area to be completed. The Estella Development Area featured by this planning proposal comprises the key urban growth land for the immediate future of the city. Completion of this development area will later be followed



by the development of lands immediately south of Old Narrandera Road in the River Road area, before the Northern Growth Area structure plan directs longer term residential growth into lands extending north along Coolamon Road.

Trending population growth has averaged 1% with the 2017 resident population estimated at 64,265 people. The preceding Wagga Wagga Spatial Plan 2013-2043 (Spatial Plan) considered land available in 2013. It identified that there was approximately 426 hectares of zoned urban release area. At a density pattern of 8 dwellings per hectare, this provides land supply for an additional 3,500 dwellings. Existing greenfield areas as at 2013 could accommodate 10 years supply of housing at the projected growth rate and 5 years supply at an aspirational growth rate of 2%. The finalisation of the Estella Development Area through this planning proposal and accompanying concept development application represents the completion of these existing urban release area lands in the north of Wagga Wagga in accordance with the anticipated timespan.

The Estella Development Area in its reconfigured guise will deliver approximately 350 lots. Within the Estella Development Area, a portion of residential land of approximately 15000sqm is rezoned from R5 Large Lot Residential to R1 General Residential, with the corresponding 1000sqm minimum lot size requirement removed. It is anticipated that this land will be employed at a similar lot size to that prevailing in the northern suburbs, with lots ranging from approximately 600sqm to 900sqm.

This creates the potential for incrementally more residential lots to be provided in this portion of Estella than would otherwise be possible. This increase marginally assists in the provision of additional housing opportunities in the city in line with strategic objectives, though the likely impact to local development intensity is slight. The step change in lot size from 1000 sqm minimum to lots similar in size in the existing developed area surrounding, likely averaging around 750 sqm, does not imply a significant increase in demand resulting from the R5 to R1 rezoning. This change occurs over only a small portion of land approximately 15000 sqm in size within the Estella Development Area.

2. Draft Wagga Wagga Northern Growth Area Structure Plan (not endorsed)

As per the directions of the forthcoming Wagga Wagga Local Strategic Planning Statement, the Northern Growth Area will receive the majority of future greenfield development within Wagga Wagga. Liveability and resilience of new communities are key priorities for growth to occur within this area.

Council is currently in the process of developing a Northern Growth Area Structure Plan. The Plan will support the Local Strategic Planning Statement and will identify areas to provide additional land for housing. The work to date on the draft Plan directs improvements to the existing northern neighbourhoods, with additional housing opportunities to be provided via intensification. The emerging Plan supports the identification of opportunities within the existing suburbs of Boorooma, Estella and Gobbagombalin that allow these improvements to be obtained. This includes items such as the realignment of roads and streets, open space networks and zoning to ensure improved urban and environmental outcomes. All of these types of improvements are facilitated by this planning proposal.

The intent for the northern growth area includes:

- *Providing opportunity for at least 12000 new dwellings over the next 20 years with capacity to accommodate up to up to 18800 new dwellings beyond 2040.*
- *Sequencing the release of zoned land consistent with growth projections.*
- *Avoiding leapfrogging of development.*
- *Deliver new infrastructure at the same rate as growth.*



- *Ensuring public transport and active travel routes provide appropriate linkages to the CBD and other employment nodes.*
- *Protecting environmental corridors and link those spaces with the river.*
- *Providing a mix of housing types and increase density to optimise use of appropriately zoned land.*

The planning proposal is fully consistent with the intent of the northern growth area objectives. The planning proposal incrementally expands upon the housing supply opportunities that remain available within Estella. The method supported by this planning proposal of concept development applications for successive segments of the development area avoids leapfrogging of development and ensures adequate infrastructure delivery. The reconfiguration of open space and environmental corridors enables the connection of these suburbs via pathway networks to the broader city networks. Simultaneously, the overall program of development will complete local road networks and provide vital connections across the northern suburbs of the city.

3. Wagga Wagga Recreation, Open Space and Community Strategy 2040

The Wagga Wagga Recreation, Open Space and Community Strategy 2040 (ROSC) provides strategic direction for the planning, development, management and use of community spaces over the next 20 years. The strategy identifies numerous projects in the northern suburbs of Wagga Wagga. These include playgrounds, parks, sports facilities and pathways. The Strategy provides a framework to create an active, safe, healthy and vibrant city, enhancing Wagga Wagga's position as a leading regional city.

When open space is being planned and developed it is important to determine that the land being provided will meet community needs. The following matters are considered in open space provision for the community:

- Open space and recreation areas are located in order to achieve connectivity to and well-designed interfaces with adjoining land uses and local roads and maximize the usability of those spaces.
- A minimum provision of 4Ha/1000 people will be maintained within the precinct.
- For new subdivisions, proposed residential lots will be within a 500m radius of a passive open space area.
- That one suburban (district) park open space area is provided within a precinct.
- At least one sporting precinct is provided per precinct.
- Proposed dwellings adjoining open space will front that open space and be separated by a road.

The ROSC 2040 document identified that a key open space area and playing field/oval for the northern suburbs of Wagga Wagga would be located to the north of Estella Road, nearby the Charles Sturt University campus. This location offers significant advantages due to its proximity to the forthcoming Estella Public School and the Charles Sturt University campus, allowing for the facility to be located central to other community focus points and offer the widest possible utility to different community members. This was found to be more practical than other possible locations for a playing field in respect of development of the fields, ongoing cost to maintain and providing community facilities in centrally accessible locations.

The planning proposal includes current RE1 lands in the south of Estella that, prior to ROSC 2040, were a potential development site for a playing field. ROSC 2040 places a playing field north of Estella Road meaning that RE1 Public Recreation land in the south of Estella is reduced. Funding allocation no longer exists to acquire, develop and maintain the surplus RE1 Public Recreation Land in the south of Estella and development of a playing field here was found not to be a sensible option.



The configuration of RE1 Public Recreation lands pursued by this planning proposal differs from the exact configuration intended by ROSC 2040. In some parts this reflects adjustments to the intended location of road alignments adjoining the open space area. A further respect in which the planning proposal configuration differs from the ROSC 2040 configuration is that the open space south of Avocet Drive is delivered in two parcels rather than one continuous tract. This change is because some RE1 land was to directly adjoin the rear fences of residential properties.

This outcome would be inconsistent with the improved neighbourhood design outcomes being sought throughout the Estella development area and is minimised by the planning proposal as much as is practicable. Part of the open space tract was also narrow in parts and therefore potentially prone to conflict between recreational activities in place and active travel through the space. Part was also to contain a future road interrupting the open space corridor.

The new zoning configuration allows for a superior neighbourhood design where the open space adjoins B2 Local Centre lands for the future commercial centre and R1 General Residential lands. Housing will face into the open space from the opposing sides of roads, rather than rear fencing adjoining the space. This allocation of RE1 Public Recreation lands is also slightly larger than the existing alternative leading to a slightly enlarged overall area of open space than would be the case under the ROSC 2040 configuration. The location of the space also has advantages for integration into the active travel and pathway network of the northern suburbs, linking the open space tract and shopping centre site to the network extending westward along the future section of Avocet Drive and linking the suburb of Gobbagombalin into the city's active travel network.

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

This planning proposal has emerged as the superior solution from an iterative design process where successive reconfigurations to the proposed land use zoning have been considered.

Previously considered was a land use zoning configuration which adhered strictly to the future open space allocation indicated by the Recreation, Open Space and Community Strategy 2040. This allocation of open space has been discarded for the reasons described in the discussion provided in the section above.

Also previously considered was a zoning allocation which maintained only the B2 Local Centre zoning that already existed on the site. This B2 Local Centre zoning separated two relatively small areas of open space and was likely to result in ungainly outcomes for site design and connectivity to the new residential areas west of the B2 Local Centre site.

The zoning configuration provided by the planning proposal provides a larger allocation of B2 Local Centre overall. This will allow additional commercial provision within the local neighbourhood. The increased site depth will also provide opportunities for improved site design for connectivity and access into the site, improved interfaces and presentation to neighbouring land uses and opportunities for better design and placement of loading areas, car parking and other impacting components of such developments.

Section B – Relationship to strategic planning framework

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



The Riverina Murray Regional Plan 2036 was adopted by the NSW Government in 2017. It provides a vision, goals and actions geared towards delivering greater prosperity in the years ahead for those who live, work and visit this important region. The planning proposal is consistent with the actions of the Riverina Murray Regional Plan 2036 as follows:

Table 1

Riverina Murray Regional Plan 2036	
Objectives and actions	Comment
Direction 14: Manage land uses along key river corridors.	The planning proposal complies with the direction. The proposal aims to connect open space networks and key environmental corridors with the Murrumbidgee River. Enhancing the connection of these corridors through to the Murrumbidgee River represents an improved ecological outcome whilst also expanding the opportunity for residents to access natural and open space areas for recreation. This supports the sound management of environmental assets and recreational opportunities for the Wagga Wagga community.
Direction 15: Protect and manage the region's many environmental assets.	The planning proposal complies with the direction. The proposed E2 zone contains White Box-Yellow Box-Blakely's Red Gum Woodland (Box-Gum Woodland) which is listed as 'Endangered' under the NSW Biodiversity Conservation Act 2016, and as 'Critically Endangered' nationally under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999. The proposed E2 zone protects habitat values for a number of Endangered, Vulnerable and Migratory species of birds and mammals. It preserves a wildlife corridor of remnant vegetation at Charles Sturt University through to the Murrumbidgee River to achieve this outcome.
Direction 22: Promote the growth the growth of regional cities and local centres.	The planning proposal complies with the direction. The proposal facilitates additional housing opportunities within the Wagga Wagga urban area. It achieves this by aligning the configuration of future open space with Council's adopted strategies. The planning proposal will support new residential development on this land that has nearby and cost-effective access to public utilities. Development of the rezoned portion of land for residential purposes represents an incremental increase in demand on public infrastructure and services than would otherwise be pursued.
Direction 25: Built housing capacity to meet demand.	The planning proposal complies with the direction. While a large portion of the Estella Development Area is already zoned residential, the proposal adds further to this land



	supply. This represents efficient use of land no longer required for other purposes and will result in additional residential land to meet the city's population growth expectations in accordance with the direction.
Direction 26: Provide greater housing choice.	The planning proposal complies with the direction. The proposal will create the opportunity to provide a variety of housing types, with various housing typologies permissible within the R1 General Residential zone. The neighbourhood design lends itself to supporting variety in housing, with local shopping and services located nearby and strong linkages to key locations and the broader city via nearby active travel routes.
Direction 28: Deliver healthy built environments and improved urban design.	<p>The planning proposal upholds this direction of the Regional Plan. The planning proposal provides for the implementation of a neighbourhood design outcome which is substantially improved relative to that provided by the current zoning configuration and that delivered to this time within the northern suburbs of Wagga Wagga.</p> <p>The planning proposal provides enables delivery of open space areas which are attractively presented and located. This is achieved by placing local streets to orientate housing with front aspect into the open space, rather than rear fencing facing the open space areas. The expanded environmental corridor at the west also provides a landscape buffer to road traffic on Pine Gully Road.</p> <p>The final configuration of open space and environmental corridors further enables healthy built environmental outcomes by allowing the passage of active travel and footpath networks across the suburb.</p>

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

The Wagga Wagga Spatial Plan 2013 – 2043 is the principal strategic land use plan for the Wagga Wagga Local Government Area. The proposal supports the objectives of the Spatial Plan by providing housing lands to accommodate the growing population of the city. The proposal is consistent with the Wagga Wagga Spatial Plan 2013 – 2043, aligning with the following actions identified in the Plan.

The successor to the Spatial Plan is the Wagga Wagga Local Strategic Planning Statement (Wagga Wagga LSPS). At the time this planning proposal is prepared, the draft Wagga Wagga LSPS is undergoing public consultation processes with a view to its imminent adoption. The draft Wagga Wagga LSPS nominates the Northern Growth Area, including Estella, as the key residential growth area for the city for the next two decades. This planning proposal implements the short-term component of Northern Growth Area planning, by progressing toward development of the remaining available lands within the existing northern suburbs of Estella, Boorooma and Gobbagombalin.



Table 2

Wagga Wagga Spatial Plan 2013 – 2043	
Objectives and actions	Comment
Protect the biodiversity of Wagga Wagga Local Government Area.	<p>The planning proposal complies with the direction. The part of the planning proposal that will rezone land for residential and business purposes will not produce adverse impacts on biodiversity values in the locality.</p> <p>Lands subject to the expansion of the existing environmental corridor to the east of Pine Gully Road contain White Box-Yellow Box-Blakely's Red Gum Woodland (Box-Gum Woodland). This ecological community is listed as 'Endangered' under the NSW Biodiversity Conservation Act 2016, and as 'Critically Endangered' nationally under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999.</p> <p>The area also provides habitat value for a number of Endangered, Vulnerable and Migratory species of birds and mammals. It acts as a wildlife corridor joining the remnant vegetation of Charles Sturt University at its northern extent to the Murrumbidgee River at the southern extent. Ecological corridors like these are critical for the maintenance of ecological processes. Such corridors allow for the movement of animals, supporting continuation of viable populations through maintenance of genetic diversity.</p>
Accommodating population growth through adequate supplies of well planned residential land, providing a variety of housing options to achieve housing choice and affordability.	<p>The planning proposal complies with the direction. The land is within an established residential area and the R1 General Residential zone can facilitate a wide range of housing options. This will assist housing choice and affordability. There are several actions identified in the Spatial Plan that are supported by the planning proposal:</p> <ul style="list-style-type: none"> • Identify sites suitable for redevelopment and investigate the potential to concentrate development to infill sites to accommodate future growth. • Provide for a range of densities in neighbourhoods that respond to community demand. <p>The proposal to rezone the land seeks to maximise site opportunities available for the development of the land. This is possible as the land is currently serviced by public infrastructure and accessible to existing local community facilities. The proposal also aims to rationalise and link existing open space systems and environmental corridors with key strategic locations including the Murrumbidgee</p>



	River.
Facilitate the provision of physical infrastructure in a coordinated and cost-effective manner.	The planning proposal complies with the direction. The land is within an established urban area and has cost-effective access to public infrastructure.
Facilitate improved efficiency of urban infrastructure such as water supply, wastewater management, stormwater management, electricity and telecommunications.	The planning proposal complies with the direction. The land is enclosed within existing urban development areas and can be efficiently serviced. Providing services to the land would not place an undue burden on the community.

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

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

Table 3

State Environmental Planning Policies	
Relevant SEPPs	Comment
The State Environmental Planning Policy No 55 – Remediation of Land	The planning proposal complies with the policy. Agriculture is a land use specified in Table 1 of the Contaminated Land Planning Guidelines. The subject land has been used for agricultural uses in the past. Specifically, the land is known to have been used for grazing. No apparent evidence exists on the subject land for activity with the potential to have resulted in soil contamination. It is therefore considered that the potential impacts of land contamination are low. A detailed assessment of land contamination may be undertaken to support a future development application for subdivision to address the matter.

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

The Environmental Planning and Assessment Act 1979 provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A planning proposal needs to be consistent with the requirements of the directions, but in some instances can be inconsistent if justified.

The relevant directions and consistency have been addressed as follows:

Table 4

Ministerial Directions	
S9.1 Direction	Consistency
2.1 Environmental Protection Zones. The objective of this direction is to protect and conserve environmentally sensitive areas.	The planning proposal complies with the direction. The planning proposal will not result in the loss of environmentally sensitive areas. It seeks to expand the existing environmental corridor along the eastern side of Pine Gully Road. This will enhance the existing vegetated areas along Pine Gully Road, protecting additional



	<p>environmental assets located on what is presently residential-zoned land and providing habitat for a number of Endangered, Vulnerable and Migratory species of birds and mammals. The expanded tract of environmental land will provide a wildlife corridor joining the remnant vegetation of Charles Sturt University in the north to the Murrumbidgee River in the south.</p>
<p>2.3 Heritage Conservation.</p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>	<p>The planning proposal complies with the direction. An Aboriginal Archaeological Assessment was undertaken in November 2005. The assessment states that whilst that were no Aboriginal sites identified within the Estella survey area, a number of archaeologically sensitive survey area landforms and areas of archaeological potential were identified.</p> <p>This planning proposal is a component of a broader approach to the development of the Estella Development Area. While only a portion of the Estella Development Area is affected by the required rezoning, other portions of the area are already in the final land use zone intended to enable development. Linking investigation to this planning proposal would capture only a small fraction of the overall area to receive future development in Estella.</p> <p>In view of this, more rigorous investigations would best be undertaken as part of the development assessment process. Such investigations would identify whether or not archaeological deposits are, in fact, present on the land.</p> <p>A Due Diligence investigation is appropriate to inform Concept Development Applications for subdivision, in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.</p>
<p>Residential Zones.</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> • to encourage a variety and choice of housing types to provide for existing and future housing needs, • to make efficient use of existing infrastructure and services and ensure that new housing as appropriate access to infrastructure and services, and • to minimise the impact of residential development on the 	<p>The direction applies to this planning proposal, as the proposal affects land within existing and proposed residential zones.</p> <p>The planning proposal complies with the direction. In accordance with the direction;</p> <ul style="list-style-type: none"> • the proposal will provide opportunity for development of a range of housing to address residents' housing requirements and overall population growth • The planning proposal does not reduce the permissible density of the subject land • the planning proposal will provide for improved neighbourhood design outcomes



<p>environment and resource lands.</p>	<ul style="list-style-type: none"> • the planning proposal will optimize use of the land that is currently serviced by public infrastructure and accessible to existing local community facilities • the planning proposal provides for retention and protection of existing environmental assets.
<p>3.3 Home Occupations</p> <p>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</p>	<p>The direction is relevant to the planning proposal as the direction is relevant to all planning proposals. The planning proposal relates to the planning of a residential area by expanding the R1 General Residential zoned area. The R1 General Residential zone permits home businesses and home industries without and with consent respectively, allowing for carrying out of low-impact small businesses in dwelling houses.</p> <p>While a portion of the subject land is rezoned from R1 General Residential to E2 Environmental Conservation, removing home occupations as an outcome, this is offset by rezoning to R1 General Residential occurring in other portions of the Estella development area.</p>
<p>3.4 Integrating Land Use and Transport.</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> • improving access to housing, jobs and services by walking, cycling and public transport, and • increasing the choice of available transport and reducing dependence on cars, and • reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and • supporting the efficient and viable operation of public transport services, and • providing for the efficient movement of freight. 	<p>The planning proposal complies with the direction. The proposal enables continuing improvement to the integration of land use and transport across all modes of travel.</p> <p>A Northern Growth Structure Plan is currently being developed for the northern areas of the city. It will make recommendations to improve road networks, active travel routes and public transport across the north of the city.</p> <p>The planning proposal, whilst conducted in advance of the structure plan, provides for a transport planning outcome supportive of continued urban growth in the north of the city and consistent with the emerging findings and directions of the Plan in progress.</p> <p>The reconfiguration of open space will enable improved outcomes for active travel and local pathway networks</p> <p>While not within the subject land area for the planning proposal, a key improvement to local road networks intrinsically linked to the planning proposal outcome is the extension of Avocet Drive to Pine Gully Road.</p> <p>The new road section is to intersect with Pine Gully Road at its existing junction with Cootamundra Drive. This road will enable access to the local commercial site which is to be expanded by this planning proposal.</p>



	As the Avocet Drive link falls within the area of land already within its intended zone, this will be included within a Concept Development Application parallel with the completion of this planning proposal. This method ensures that this important road link is in place as new development progresses throughout the area.
5.10 Implementation of Regional Plans. The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The proposal meets the directions of the Riverina Murray Regional Plan 2036. This is discussed in detail at Part B of this document.
6.2 Reserving Land for Public Purposes. The objectives of this direction are: <ul style="list-style-type: none"> to facilitate the provision of public services and facilities by reserving land for public purposes, and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. 	<p>In the earlier development history of the northern suburbs, Lot 199 DP 1206757 and Lot 6013 DP 1209232 in this development area of Estella had been planned to accommodate a district park.</p> <p>As per directions of ROSC 2040, a district park will be accommodated at Peter Hastie Oval on Lot 4 DP 1218378, north of Estella Road. The amount of open space required within Lot 199 DP 1206757 and Lot 6013 DP 1209232 is therefore reduced.</p> <p>This land is rezoned to R1 General Residential Zone to address housing demand in the city. The land was also dedicated for acquisition which is no longer required once the zoning is changed. This will be reflected in changes to the Land Reservation Acquisition Overlay.</p>

Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal to widen the E2 Environmental Conservation zone will have significant environmental benefits. The proposed E2 Environmental Conservation zone area consists of White Box-Yellow Box-Blakely's Red Gum Woodland (Box-Gum Woodland). This ecological community is listed as 'Endangered' under the NSW Biodiversity Conservation Act 2016, and as 'Critically Endangered' nationally under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999. Extension of the E2 Environmental Conservation zone over this vegetation population will enhance its protection and management as the remainder of the surrounding precinct is developed for urban land uses.

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

Habitat loss and fragmentation are the two main key threatening processes contributing to a serious decline in biodiversity across the landscape. A holistic approach is required across both public and



private lands to protect and manage natural ecosystems and ensure connectivity between remaining habitats.

The proposal is consistent with the objective of the National Recovery Plan for Box-Gum Woodland, which is to promote the recovery and minimise the risk of extinction of the ecological community through:

- Achieving no net loss in extent and condition of the ecological community throughout its geographic distribution;
- Increasing protection of sites in good condition;
- Increasing landscape function of the ecological community through management and restoration of degraded sites;
- Increasing transitional areas around remnants and linkages between remnants; and
- Bringing about enduring changes in participating land manager attitudes and behaviours towards environmental protection and sustainable land management practices to increase extent, integrity and function of Box-Gum Grassy Woodland.

The area provides habitat value for a number of Endangered, Vulnerable and Migratory species of birds and mammals and acts as a wildlife corridor joining the remnant vegetation of Charles Sturt University in the north to the Murrumbidgee River in the south.

Corridors such as this are critical for the maintenance of ecological processes including allowing for the movement of animals and the continuation of viable populations through enhancing genetic diversity. In general, a wider corridor performs better in these respects. Wider corridors provide for greater diversity and limit the impact of adjoining land uses and associated edge effects (e.g. weeds, predators etc.).

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

This assessment finds that the planning proposal will produce a net benefit to the community across social, cultural and economic impacts. The rezoning of the land will facilitate additional housing opportunities in an established residential area to meet the growing population of the city. Delivery of this housing in an orderly and well-planned manner preserves a high quality of life for existing and new residents of the city. This area is well positioned to integrate with existing built infrastructure and social and community infrastructure.

The additional residential population to be supported by rezoning will have an economic effect of supporting business activity in the city both as consumers and as a source of labour. This will particularly support expansion of the commercial and services offering in the northern suburbs, and also provide patronage of public services in the city.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

Being located adjacent to serviced urban residential development, the subject land has access to all urban infrastructure. There is capacity for this infrastructure to accommodate the demand created by the future development of the subject land.



What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with public authorities will occur in accordance with the terms of Gateway Determination as provided by the Department of Planning, Industry and Environment.

PART 4 – MAPPING

The planning proposal seeks to amend the following maps:

Land Zoning Maps:

Map Sheets LZN_003B and LZN_003C

Lot Size Map:

Map Sheet LSZ_003C

Land Reservation Acquisition Map:

Map Sheets LRA_003A and LRA_003B

Urban Release Area Map:

Map Sheets URA_003A and URA_003B

PART 5 – COMMUNITY CONSULTATION

Community consultation will occur in accordance with the terms of Gateway Determination as provided by the Department of Planning, Industry and Environment.

Community consultation will also occur in accordance with Council policy. Council policy requires a public exhibition period of 28 days and a concurrent period of 42 days for the receipt of written submissions, commencing on the same date as public exhibition.

PART 6 – PROJECT TIMELINE

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



