

**RP-2 DRAFT PLANNING PROPOSAL LEP20/0007 TO REZONE LAND AT ESTELLA, WAGGA WAGGA**

**20/423 RESOLVED:**

On the Motion of Councillors P Funnell and R Kendall

**That Council:**

- a support a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 as it applies to lands in Estella**
- b submit a planning proposal to the NSW Department of Planning, Industry and Environment for Gateway Determination**
- c note the intention for the developer to also submit Concept Development Applications for lands in Estella, parallel to the rezoning of some lands, satisfying urban release area requirements of the Wagga Wagga LEP in lieu of a Development Control Plan**
- d receive a further report after the public exhibition period addressing any submissions made in respect of the planning proposal**

**CARRIED**

**RECORD OF VOTING ON THE MOTION**

For the Motion

Y Braid OAM  
G Conkey OAM  
P Funnell  
D Hayes  
V Keenan  
R Kendall  
T Koschel  
K Pascoe  
D Tout

Against the Motion

**RP-2 DRAFT PLANNING PROPOSAL LEP20/0007 TO REZONE LAND AT ESTELLA, WAGGA WAGGA**

**Author:** Adam Wood  
**Director:** Michael Keys

**Summary:**

A draft planning proposal has been prepared to rezone land to the east of Pine Gully Road, Estella. These changes serve to provide additional housing opportunities in the north of the city, whilst strengthening and enlarging an existing environmental corridor, improving the neighbourhood design outcome and enlarging the available opportunity for local business and service provision.

The proposal aligns with the strategic vision for Estella and the wider locality. The recommendation is to proceed with the planning proposal and request a Gateway Determination from the NSW Department of Planning, Industry and Environment.

**Recommendation**

That Council:

- a support a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 as it applies to lands in Estella.
- b submit a planning proposal to the NSW Department of Planning, Industry and Environment for Gateway Determination.
- c note the intention for the developer to also submit Concept Development Applications for lands in Estella, parallel to the rezoning of some lands, satisfying urban release area requirements of the Wagga Wagga LEP in lieu of a Development Control Plan.
- d receive a further report after the public exhibition period addressing any submissions made in respect of the planning proposal.

**Planning Proposal Details**

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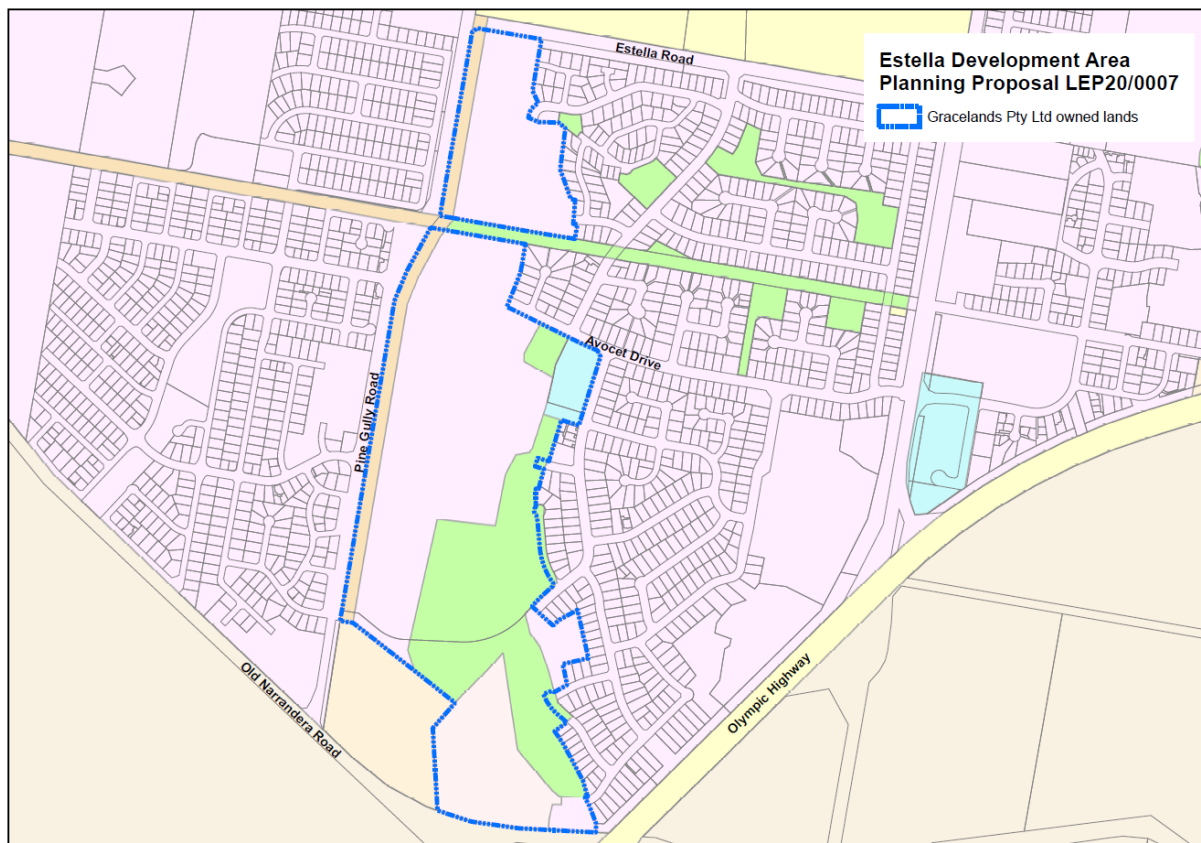
**Applicant:** This is a Council-initiated planning proposal and has been developed in collaboration with the land owner.

**Land Owners:** Gracelands Estates Pty Ltd.  
Director: Juha Eerik Alatalo  
Director: Antti Kullervo Alatalo  
Director: Anni-Ilona Alatalo

Throughout 2020 Council's Regional Activation Directorate has negotiated with Alatalo Bros. to plan the development of the remaining undeveloped part of Estella. The planning proposal considered by this report implements this planning, by reconfiguring a part of the zoning existing in Estella. It seeks a neighbourhood development outcome that fulfils Council's strategic objectives in the area, improving neighbourhood design outcomes in the northern suburbs of Wagga Wagga and providing a continued supply of new dwellings for the Wagga Wagga housing market.

The complete development site (referred to here as the Estella Development Area) is located in the western, as-yet undeveloped, portion of Estella. It is bound by the Old Narrandera Road to the south, Pine Gully Road to the west, Estella Road to the north and the existing extent of the Estella neighbourhood to the east.

The extent of the Estella Development Area is identified in the mapping figure provided below. It can be seen from the figure below that the larger part of this area is already zoned for residential development, with a smaller portion needing to be rezoned to facilitate the intended neighbourhood design. This portion is illustrated later in this report at the section 'Planning Proposal Implementation' that follows.



This is a significant development opportunity for the city within the Northern Growth Area of Wagga Wagga. It is located close to other key locations including the Charles Sturt University campus and the proposed Estella Public School to the north. It contains one local shopping centre site within its bounds and is in proximity to another zoned shopping site further to the east in Boorooma. Estella and the broader northern suburbs are currently experiencing change as a result of significant growth, being one of the fastest growing suburbs in the city. Development of this area provides the opportunity to accommodate this growth and improve local service and commercial provision for the community.

The intended neighbourhood design for this area correlates with broader Council planning in the northern suburbs, including the intended location of intersections on Pine Gully Road (at junctions with Cootamundra Boulevard and Muttama Parade), the location of active travel corridors and the location of the district park and Estella school at Estella Road.

As detailed above the planning proposal affects only a part of the lands within this Estella Development Area. The remaining lands will stay within their current zone allocation which is already suitable for the development of the suburb. These correctly

zoned lands can be subject to a concept development application. This will include the northern area of lands in the continuing R1 General Residential zone area. This allows for the construction of Avocet Drive to be undertaken early in the development sequence prior to the completed rezoning elsewhere in the suburb. This will join to the upgraded Pine Gully Road and enhance vehicle connectivity throughout the northern suburbs. The concept development application will also continue the supply of residential land and development for the city ahead of the later rezoning.

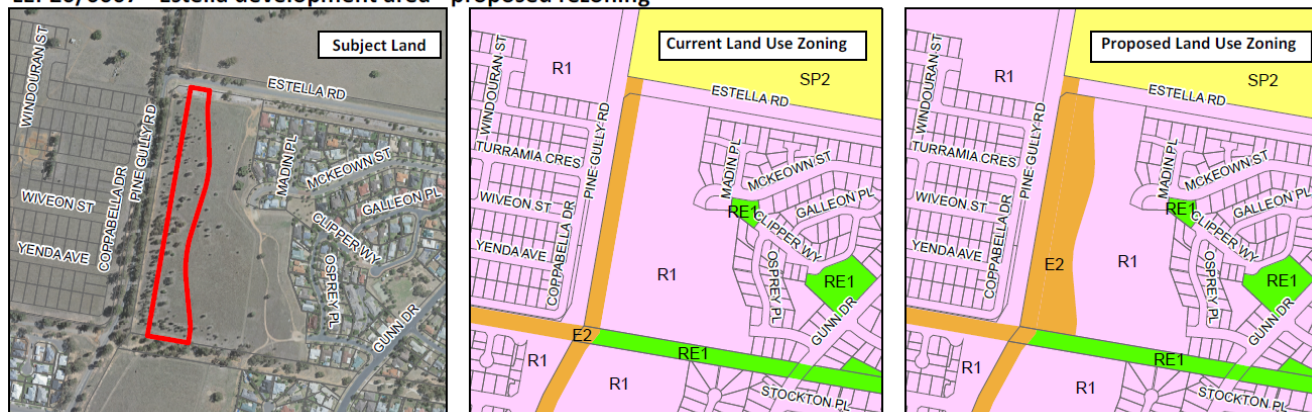
## Planning Proposal Implementation

Council is preparing a planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010) for tracts of land located east of Pine Gully Road to align with key strategic land use documents for the locality.

The planning proposal seeks the following outcomes:

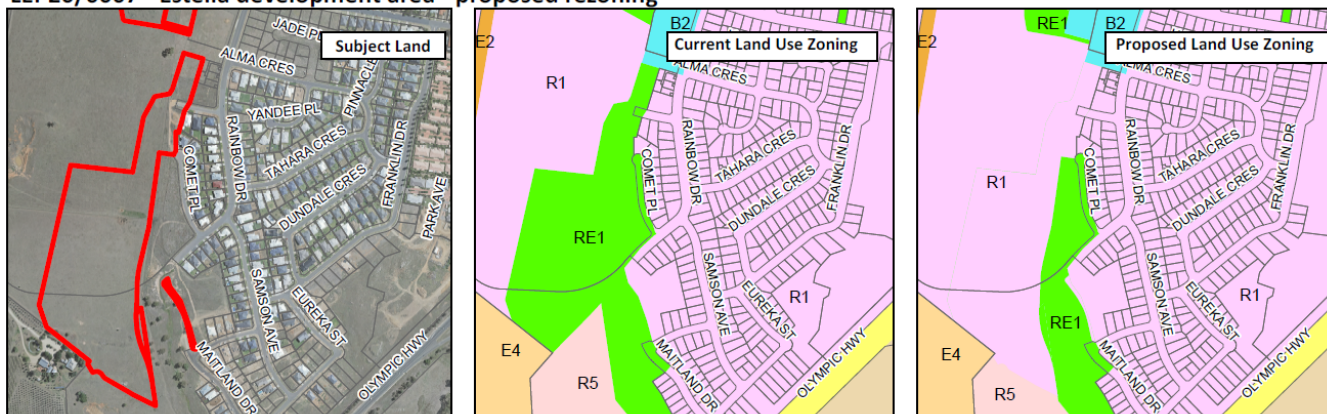
1. Rezone part of Lot 43 DP 1225666 from R1 General Residential Zone to E2 Environmental Conservation Zone. This is illustrated in the mapping figure provided below.

LEP20/0007 - Estella development area - proposed rezoning



2. Reconfigure the land use zoning of parts of Lot 199 DP 1206757 and Lot 6013 DP 1209232 in the south of the development area and west of the existing built suburb of Estella. This correctly aligns the future open space corridor between the local streets and R1 zone areas, removes surplus RE1 land not required by ROSC 2040 and changes some R5 Large Lot Residential land to R1 General Residential.

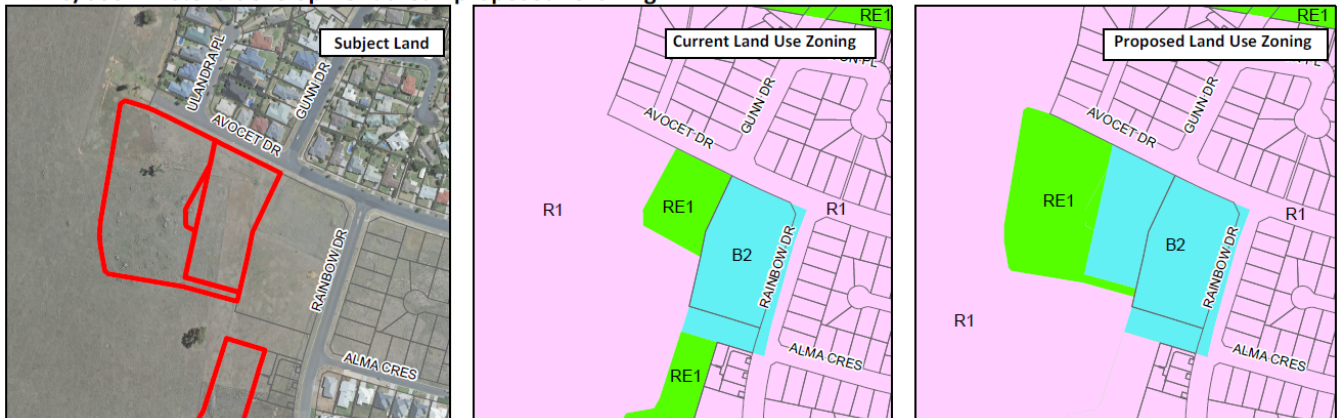
LEP20/0007 - Estella development area - proposed rezoning





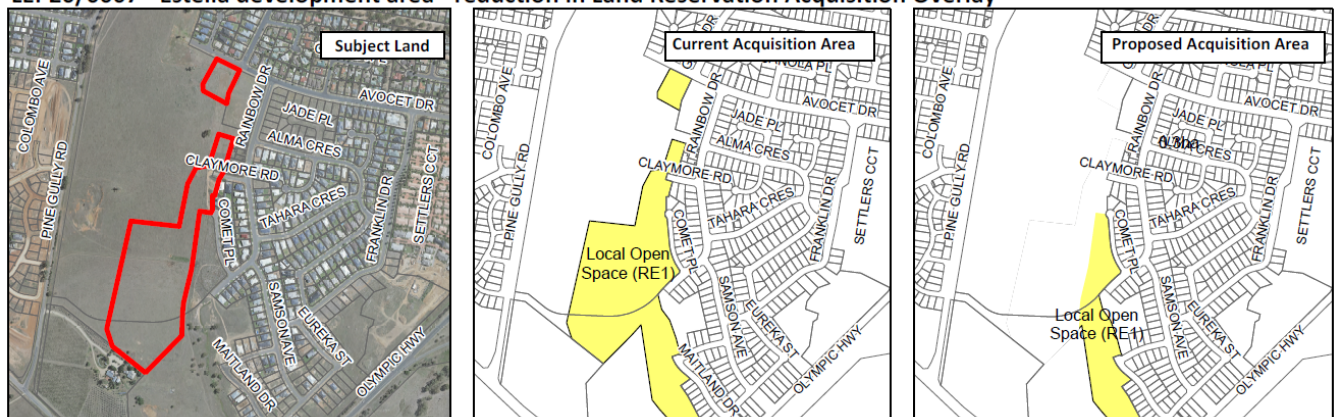
3. Rezone part of Lot 199 DP 1206757 adjoining south of Avocet Drive from RE1 Public Recreation and R1 General Residential to a revised and enlarged configuration of both B2 Local Centre and RE1 Public Recreation. Rezone land immediately south of the B2 Local Centre site from RE1 to R1 also. This is illustrated in the mapping figure provided below.

LEP20/0007 - Estella development area - proposed rezoning



4. Align the requirement for Council to acquire part of Lot 199 DP 1206757 and part Lot 6013 DP 1209232 for recreation purposes to the amended RE1 Public Recreation zoning. This is illustrated in the mapping figure provided below.

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



The effect of these amendments across the subject land 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
- A reduction of 9.46 hectares in land subject to the Land Reservation Acquisition Overlay

Lands within the E2 Environmental Conservation Zone and RE1 Public Recreation will be acquired by Council.

The additional E2 Environmental Conservation Zone will enhance the protection of White Box-Yellow Box-Blakely's Red Gum Woodland (Box-Gum Woodland) species in located at that northern part of Estella. This corridor will also be accommodate

Council's Active Travel Route linking Gobbagombalin to the Estella public school, district park and Charles Sturt University campus.

## **Motivation for the planning proposal**

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### **1. Open space provision, land acquisition requirements and ROSC 2040**

A key consideration in the development of this planning proposal is the treatment of the large portion of the subject land currently zoned RE1 Public Recreation. This planning proposal is prepared with consideration of the Wagga Wagga Recreation, Open Space and Community Strategy 2040 (ROSC).

ROSC 2040 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. These projects reflect needs and expectations of the community. The Strategy provides a framework to create an active, safe, healthy and vibrant city, enhancing Wagga Wagga's position as a leading regional city.

During the earlier history of development within Estella before ROSC 2040, a district park was originally planned for Lot 199 DP 1206757 and Lot 6013 DP 1209232 in the south-western part of the Estella neighbourhood. This intent has changed. As per the direction of ROSC 2040, a district park will now be built at Peter Hastie Oval north of Estella Road and next to the land hosting the new public school. The amount of open space originally required in south Estella can be reduced and rezoned to R1 General Residential Zone to instead address housing demand in the city.

Under the existing LEP provisions, Council is obliged to acquire 16.19ha of RE1 Public Recreation zoned land in the precinct. The proposed rezoning and changes to the acquisition layer of the LEP will reduce this requirement to the extent directed by ROSC 2040. Sufficient funding has been allocated in the contributions plans to still acquire the remainder of the RE1 zoned land from the developer and to develop the land into a quality environment to suit the needs of Wagga Wagga residents living in the area.

Now that the district park site in the south of Estella is surplus, the amount of open space now required on Lot 199 DP 1206757 and Lot 6013 DP 1209232 is reduced. This reduces the cost burden on Council to fund the accompanying land acquisitions also. The planning proposal means this area of land is rezoned to R1 General Residential Zone to instead address housing demand within the city.

## Boorooma, Estella, Gobbagombalin Precinct - Vision 2040



The configuration of RE1 Public Recreation lands pursued by this planning proposal does differ from the exact configuration provided by ROSC 2040. In some parts this reflects the eventual location of road alignments adjoining the open space area. A further aspect in which the planning proposal configuration differs from the ROSC 2040 configuration is that the open space southward of Avocet Drive is not to be delivered in one continuous tract. The configuration provided for by the planning proposal instead delivers the southern portion of the tract intended by ROSC 2040, in addition to a separate open space portion located west of the shopping centre site. This intent is illustrated at Items 1 and 2 of Part 2 of this planning proposal.

This approach is adopted for multiple reasons. The portion of the ROSC 2040 configuration discarded was open space that was to directly adjoin the rear fences of residential properties. This outcome would be inconsistent with the improved neighbourhood design outcomes being sought by the rest of the planning proposal throughout the Estella development area. Land at this location is also to be encumbered by a future road and therefore this allocation is not representative of the area actually usable for recreation activities. The allocation of more RE1 Public Recreation land west of the B2-zoned commercial site has several advantages. This opens opportunities for improved interfaces with the adjoining land uses. Housing will face into the open space from across the roads. This land has a slightly larger overall area of RE1 zoning than would be the case under the ROSC configuration, without interference by future roadways. The location of the space also has advantages for integrating the active travel pathways network of the northern suburbs. This open space links the shopping centre site, broader open space and active travel networks westward along Avocet Drive to Gobbagombalin.

## 2. An improved neighbourhood design outcome

The surrounding areas within Estella and neighbouring Gobbagombalin and Boorooma are low-density residential areas consisting of 1 and 2 storey

dwelling. In some locations the subdivision layout results in a poor urban design outcome. Neighbourhoods separated by busy roads, resulting in severance of pedestrian travel routes. This is compounded by inactive street frontages and under-used and poorly planned open space networks.

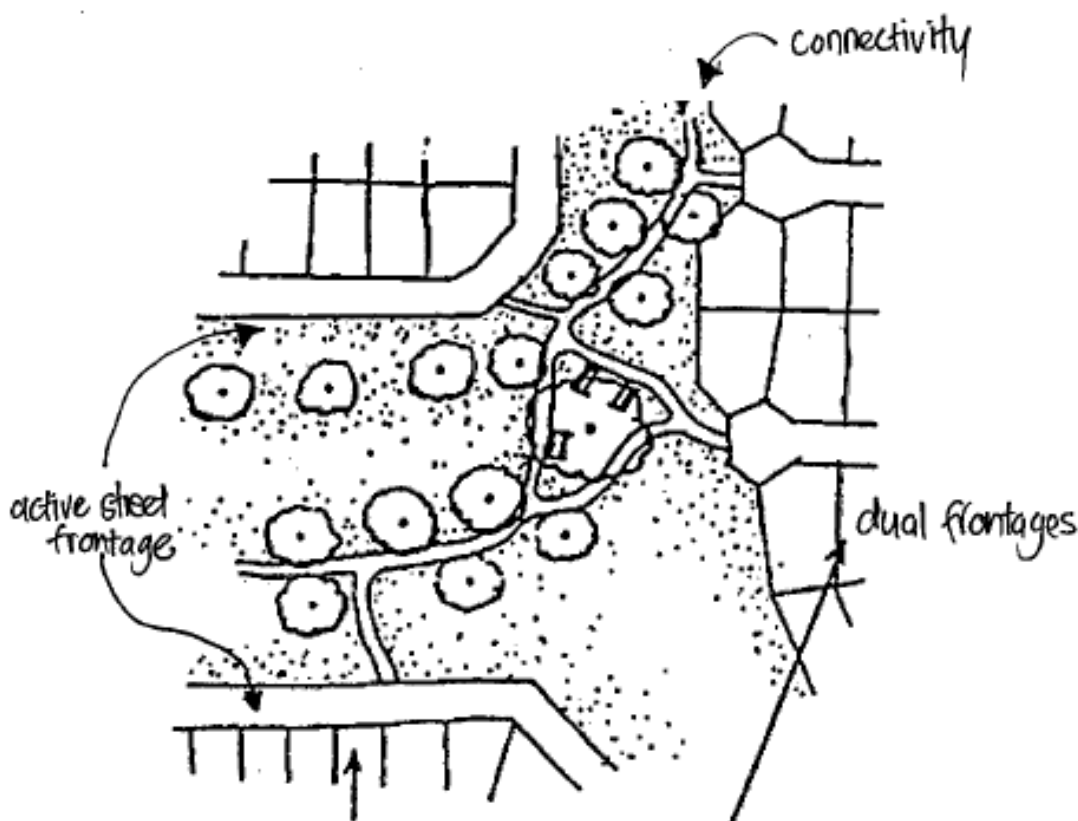
This planning proposal responds to these issues identified within previous development, seeking to deliver an improved neighbourhood design outcome in the remaining development area of Estella. The layout for the neighbourhood design has been the subject of collaboration and continued refinement between Council and the developer.

The neighbourhood design will be implemented by the combination of a planning proposal to reconfigure zoning (to the extent it is presently inconsistent with the neighbourhood design layout) and by Concept Development Applications to satisfy the requirements of the LEP Urban Release Area within Estella. Outcomes of this approach will include the following:

- Orientation of residential lots and development to face the public open spaces and corridors, resulting in improved active street frontages, presentation value and passive surveillance.
- Landscape buffers next to the busy Pine Gully Road corridor and avoiding rear fencing placed to face main collector roads.
- Completion of the local road network including the construction of the critical remaining portion of Avocet Drive. This provides a linkage for local vehicle traffic from Gobbagombalin through to key locations in the northern suburbs including the B2 Local Centre shopping sites in both Estella and Boorooma.
- Integrated provision of pedestrian and active travel linkages, including sound access across Pine Gully Road from Gobbagombalin, and linkages onwards from that location to the Estella school, university and district park north of Estella Road, to the B2 Local Centre shopping locations via Avocet Drive and to the open space and active travel networks of the northern suburbs and wider city.
- High quality open space networks, with better-planned and more attractive interfaces to adjoining uses, particularly where flanked by new housing, with a greater degree of functionality for users of these spaces.

The illustration below provides an indicative example of the improved outcome for public open space design, whereby residential lots have aspect into the open space corridors as a result of the placement of residential streets.





### 3. Environmental benefit

The proposal to widen the E2 Environmental Conservation zone in the north western corner of the development area 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 while the balance of the area receives residential development. This vegetation currently sits within the R1 General Residential zone which does not offer satisfactory protection to these natural assets.

The E2 Environmental corridor at this location will also accommodate Council's Active Travel Route, enhancing active travel connectivity for Gobbagombalin residents to key locations north of Estella Road, including the new school, district park and Charles Sturt University campus.

#### **4. Facilitating population growth and housing demand**

The addition of dwellings to the housing stock is a necessary prerequisite for population growth in the city. This provides opportunities for households to relocate from other areas or new households to form locally. It is also important that housing stock is not only provided, but that this occurs in an orderly and well-planned fashion.

The planning proposal provides for additional supply of housing in the city's identified key growth area located in the north. It does so in an integrated fashion, with additional open space, a local business centre and various travel linkages considered and provided for. The subject land provides these additional housing opportunities in a manner that enables future residents to experience the benefits of a well-designed neighbourhood which is adequately serviced and possesses nearby access to services, local retailing and open spaces. The planning proposal upholds the city's objectives with respect to housing supply and providing for population growth.

#### **5. Land use strategies underway**

Council will shortly be exhibiting the draft version of the key land use strategy for the city, the Wagga Wagga Local Strategic Planning Statement. This document considers the communities aspirations and provides a blueprint for how and where we want Wagga Wagga to grow into the future.

Council is also in the process of developing a Northern Growth Area Structure Plan. The Plan will support the Local Strategic Planning Statement (LSPS) and will identify areas suitable for additional housing provision. Improvements to the existing neighbourhoods of Boorooma, Estella and Gobbagombalin are consistent with Northern Growth Area planning. The benefits of the neighbourhood design intent for the Estella Development Area include establishment of the remaining roads, open space networks and zoning configured to ensure improved urban and environmental outcomes. It will also provide additional housing opportunities within the zoned residential lands.

The planning proposal seeks to expand an existing environmental corridor, rationalise the amount of existing open space to that which can be delivered at a high quality, and to provide additional residential zoned land consistent with the general directions of draft land use strategies for the city.

This planning proposal further improves upon a similar version of the planning proposal discussed with Councillors in the first half of 2020. In addition to the benefits of the previous iteration like removing surplus open space and providing environmental allocations, the current version of the proposal recommended to Council in this report facilitates the following:

- Improvement to the configuration of open spaces, by swapping two small segments of open space, one of these partially encumbered by a future road, in favour of one large open space adjoining south of Avocet Drive
- Additional land annexed for the business site at the corner of Avocet Drive and Rainbow Drive, providing additional local services and opportunities for improved site design outcomes

- Additional land for general residential use, as opposed to low density residential use, south of the extension of Rainbow Drive
- Improved integration with Council's design for the upgrade of Pine Gully Road. This is achieved by providing points of access and egress to the area at the roundabout of Pine Gully Road and Muttama Parade and at the junction of Avocet Drive and Pine Gully Road.

## **6. Infrastructure**

One of the key issues to consider with LEP amendments is the ramifications of any proposal on existing infrastructure and the ability of existing networks to cope with increased demands.

The infrastructural issues connected to this particular planning proposal are limited. In this instance, the planning proposal represents an incremental enlargement of residential and commercial zones in an existing growth area. These urban zone types already exist across large parts of Estella. It has always been the intent that large scale urban development in this part of Estella shall connect to the city's infrastructural networks.

Being located directly adjacent already developed urban areas of Wagga Wagga, the site is in close proximity to existing service and infrastructure networks including roads, reticulated water and waste collection services. These have been given individual consideration in development of the planning proposal and revised neighbourhood layout.

### Sewer:

The increase in demand upon sewer networks created by the planning proposal is in the area where the surplus open space is converted to housing land. New residential space created by this planning proposal is within a large central tract of the development area which must be serviced by new trunk infrastructure at the south of Estella. The new trunk infrastructure will be required as a component of a future concept development application and shall be expressly designed for the purpose of meeting the requirements of this central tract.

In other parts of the Estella Development Area, the planning proposal reduces the draw upon sewer infrastructure. It does so by rezoning lands for open space and environmental purposes instead of housing as currently zoned. Smaller portions of the new suburb in the north and west will link into existing sewer networks within the adjoining built areas of Estella and Gobbagombalin. These connections shall also be established through forthcoming Concept Development Applications to be submitted to Council in parallel to, and following, the planning proposal.

### Stormwater:

A Stormwater Report and Management Strategy will be required as part of future concept development applications for each development stage to achieve safe control of additional volumes of urban run-off.

The Stormwater Management Plan will indicate an appropriate discharge point linking to the broader city stormwater network so as not to adversely affect surrounding development and assets.

It is noted that current infrastructure may not tolerate the quantity of stormwater volume implied by full development of Estella. An upgrade to local stormwater infrastructure is planned within Council's DSP presently under development.

### Roads:

Future development of the Estella Development Area must integrate with the existing and proposed road networks for the Northern Growth Area.

Council is currently preparing the upgrade of Pine Gully Road. This includes a number of key intersection improvements to accommodate the expected growth of the city in the north. The neighbourhood layout facilitated by this planning proposal includes the extension of Avocet Drive to Pine Gully Road at its existing junction with Cootamundra Drive. This is a key part of road and active travel network planning in the north of the city.

The future location of Avocet Drive is within the part of Estella where the correct zoning is already in place. The submission of a concept development application for this part of the development area, in parallel to this planning proposal, will enable installation of this new road link as a matter of priority whilst the planning proposal is resolved. This sequencing of development will ensure sound connectivity in the road network and active travel network not only for future residents of the subject land, but for existing residents in the north, particularly in Gobbagombalin.

### Water:

Local water supply is provided by Riverina Water County Council Water (RWCC). Concept development applications for each development stage will demonstrate that water supply can be made available in accordance with Council requirements and RWCC Guidelines.

The additional land for residential purposes as a result of the planning proposal is located directly adjacent already zoned land anticipated for development and represents an incremental increase in the extent of supply network required.

### Other:

Other infrastructure networks and services, including electricity, gas, public transport, waste management/recycling, health, education, emergency, mail and other community services are established in the local area and are accessible to, and may be further extended to, the subject site.

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## **Conclusion**

The planning proposal has been considered for the net community benefit that it provides to the city. The matters discussed in this report are all reflections of the public interest and community expectations as embedded in strategic planning and directions adopted by the city.

Taking into account the range of matters detailed in this report, a planning proposal to implement the zoning changes detailed herein would represent a sound outcome for the city and its residents. On this basis it is in the public's interest that a planning proposal to this effect be pursued.

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## **Financial Implications**

The planning proposal has been developed internally by Council with a view toward obtaining desirable strategic planning and neighbourhood design outcomes within the suburb of Estella. Support has been forthcoming from the land developer in order to achieve these outcomes, and this is reflected in the master planning direction developed to date. No application fees will be levied for this planning proposal as Council has ownership of the proposal. Processing of planning proposals forms part of the ordinary tasking of the City Strategy Unit and will be completed with pre-existing resourcing levels.

The reconfigured zoning of various lands within Estella, as well as the anticipated submission of Concept Development Applications within the development area, foreshadows development of these lands for urban purposes. This has financial implications for Council into the future.

Section 7.11 of the Environmental Planning and Assessment Act 1979 and the City of Wagga Wagga's Section 94 Contributions Plan 2006-2019 enables Council to levy contributions, where anticipated development will or is likely to increase the demand for public facilities.

Section 64 of the Local Government Act 1993, Section 306 of the Water Management Act 2000 as well as the City of Wagga Wagga's Development Servicing Plan for Stormwater 2007 and/or City of Wagga Wagga Development Servicing Plan for Sewerage 2013 enable Council to levy developer charges based on the increased demands that new development will have on sewer and/or stormwater.

The Section 7.11 and Section 64 contribution applies to any future development consent on the land. This will be applicable to future Concept Development Applications applying to the lands.

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## **Policy and Legislation**

Environmental Planning and Assessment Act 1979.  
Wagga Wagga Local Environmental Plan 2010.

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## **Link to Strategic Plan**

### **The Environment**

Objective: We plan for the growth of the city



Outcome: We have housing that suits our needs

## Risk Management Issues for Council

An approval of the proposal may be subject to public scrutiny during the formal public consultation process. This may result in additional pressure on Council to rezone other lands.

If the planning proposal is refused, there is risk arising from the land owner then needing to develop the land consistent with the current zoning configuration. The current zoning does not align with Council's long-term vision of the area and endorsed strategic documents.

As an example of the consequences of this, land within the RE1 Public Recreation Zone which is not required under the Wagga Wagga Recreation, Open Space and Community Strategy 2040 will under the current provisions of the Wagga Wagga LEP be required to be dedicated to Council. Funding for this acquisition, and the subsequent development and upkeep of this extent of open space, is not provided for within current funding allocations.

Other potential consequences include the inability to deliver meaningfully improved neighbourhood design outcomes for residents and the inability to protect Box-Gum Woodland environmental assets currently within the R1 General Residential zone.

## Internal / External Consultation

The planning proposal and associated masterplan have been the subject of internal consultation in regard to various aspects of the development area. This has ensured the effective delivery of active travel networks throughout the development, the delivery and specification of Avocet Drive within the development area and

Councillor workshops have been held on 8 March 2020 and 19 October 2020.

Formal public consultation with the general public and referral agencies will occur after the Gateway Determination.

Proposed consultation methods are indicated in the table below.

	Mail			Media			Community Engagement					Digital					
	Rates notices insert	Direct mail	Letterbox drop	Council news story	Council News advert	Media releases	TV/radio advertising	One-on-one meetings	Your Say website	Community meetings	Stakeholder workshops	Drop-in sessions	Surveys and feedback forms	Social media	Email newsletters	Website	Digital advertising
TIER																	
Consult		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>											<input checked="" type="checkbox"/>	

## Attachments

1. LEP20/0007 Draft Planning Proposal