



IRF25/1327

## Gateway determination report – PP-2024-271

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Additional permitted use at 92 Cooramin Street,  
Cartwrights Hill

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# Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A – Planning proposal, October 2024
Attachment A1 – Acoustic Assessment Peer Review, 14 March 2025
Attachment A2 – Noise Impact Assessment, 4 March 2025
Attachment A3 – Traffic Impact Assessment, 30 September 2024
Attachment A4 – Wagga Wagga Council Agenda 26 May 2025
Attachment A5 – Wagga Wagga Council Minutes 26 May 2025

# 1 Planning proposal

## 1.1 Overview

**Table 2 Planning proposal details**

<b>LGA</b>	Wagga Wagga
<b>PPA</b>	Wagga Wagga City Council
<b>NAME</b>	Additional permitted use at 92 Cooramin Street, Cartwrights Hill
<b>NUMBER</b>	PP-2024-271
<b>LEP TO BE AMENDED</b>	Wagga Wagga Local Environmental Plan 2010
<b>ADDRESS</b>	92 Cooramin Street, Cartwrights Hill
<b>DESCRIPTION</b>	Lot 10 DP 1247474
<b>RECEIVED</b>	28/05/2025
<b>FILE NO.</b>	IRF25/1327
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal

## 1.2 Objectives of planning proposal

The objective of the planning proposal is to allow a function centre as a permitted use at 92 Cooramin Street, Cartwrights Hill. The objective of this planning proposal is clear and adequate.

## 1.3 Explanation of provisions

The planning proposal seeks to amend Schedule 1 Additional Permitted Uses of the Wagga Wagga LEP 2010 to include 'function centre' as an additional permitted use at 92 Cooramin Street, Cartwrights Hill. There are no associated mapping amendments.

A function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

## 1.4 Site description and surrounding area

The site is identified as 92 Cooramin Street, Cartwrights Hill, with a site area of 23.47ha, see figure 1. It is occupied by Riverina Paceway which is a harness racing facility comprising of a racetrack,

clubhouse building, stables and associated carparking. The site is zoned RU1 Primary Production and a small portion of the site in the north-east is zoned RU6 Transition.

The site is located approximately 2km north of the Wagga Wagga township, see Figure 2. It sits to the east of the suburb of Boorooma, separated by Colin Knott Drive (the Olympic Highway), which contains residential development and Charles Sturt University. The site is surrounded by a mix of zones including RU1 Primary Production immediately to the south and RU6 Transition to the east.



Figure 1 Subject site (source: Planning proposal, 2024)

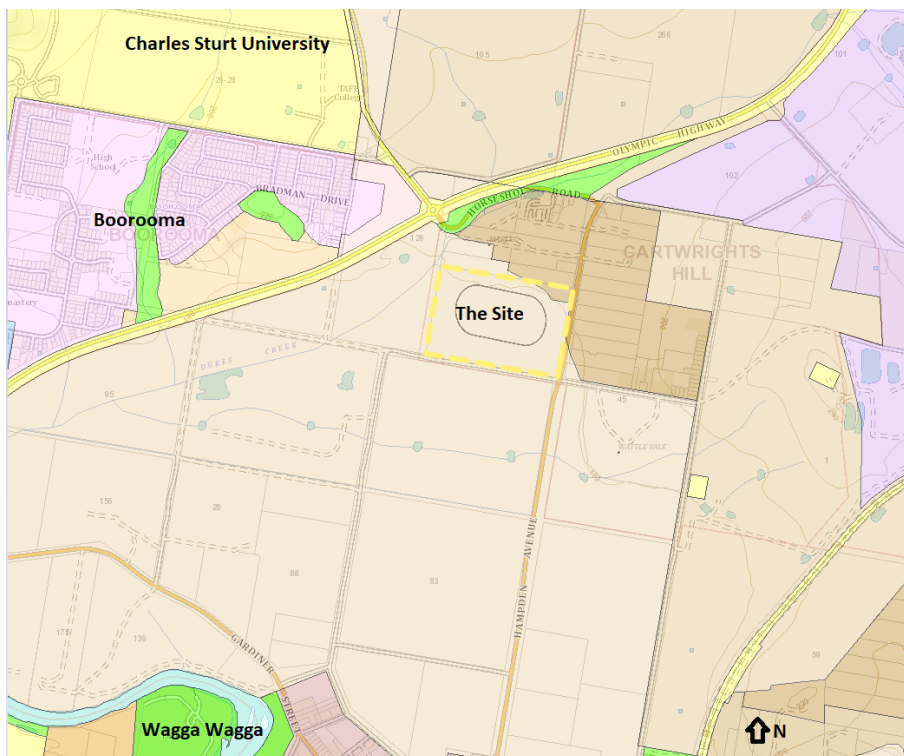


Figure 2 Site context (source: Spatial Viewer, 2025)

## 2 Need for the planning proposal

The planning proposal has not been prepared directly in response to a strategic study or report, its strategic merit will be discussed in Section 3.1 of this report.

Council has considered the following options to include 'function centre' as a permitted use at the site:

- Amend Schedule 1 to include a site specific provision. The planning proposal identifies this process as the best means of achieving the objective of the proposal as it will also compliment the current recreation facility (major) on the site.

The planning proposal states that Council is currently preparing a Destination Management Plan which may provide additional justification in forming strategic merit for function centres. A Destination Management Plan was not submitted as part of the planning proposal.

## 3 Strategic assessment

### 3.1 Regional Plan

The planning proposal is consistent with the following aspects of the *Riverina Murray Regional Plan 2041*, Strategy 16.1 requires strategic and statutory planning to support and promote visitor activities and locations and ensure planning controls support and enable tourism developments and complementary land uses in appropriate locations. It also requires potential land use conflict with other rural land uses be considered when determining the suitability of a location for a rural tourism use.

The proposed additional permitted use 'function centre' is a complementary land use to the existing primary use of the site 'recreation facility (major)'. The proposal will diversify the land uses permitted at the site and strengthen the function of an existing tourism site. It is unlikely a function centre will generate land use conflicts given the existing commercial function of the site. The planning proposal includes acoustic reports and traffic assessment which find the proposal will have acceptable impacts on the neighbouring uses. The planning proposal is consistent with the regional plan objective.

### 3.2 Local

The proposed additional permitted use is not specifically identified in any local plans or endorsed strategies. The planning proposal responds to the following principles in the Wagga Wagga Local Strategic Planning Statement (LSPS):

7. Engage with the business community to ensure that LEP, DCP and approval systems are enabling the right types of land uses in the right locations to support investment, business, and employment growth.

11. Strong and resilient rural and village communities

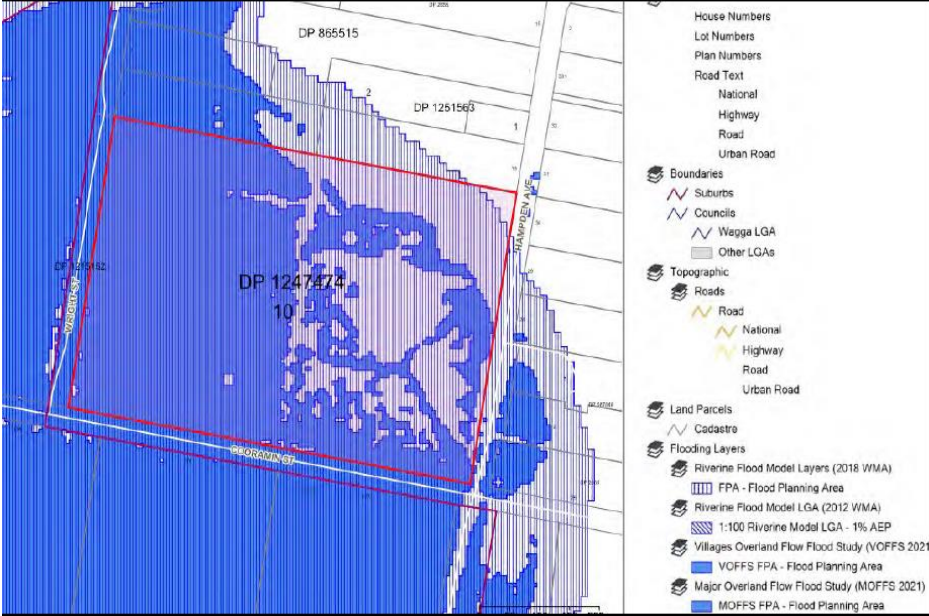
The site is currently utilised as a recreation facility (major) which is a permitted land use in the RU1 Primary Production zone. A function centre is a logical ancillary land use that will support the ongoing commercial viability of the site. A function centre will likely strengthen the ongoing feasibility of the site, provide business diversity and new opportunities for tourism. The planning proposal is generally consistent with Wagga Wagga local strategies, notably the principles of the Wagga Wagga LSPS.




### 3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

**Table 3 9.1 Ministerial Direction assessment**

Directions	Consistency	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plan	Consistent	The planning proposal is considered consistent with this Direction, as discussed in Section 3.1 of this report.
1.4 Site Specific Provisions	Inconsistency justified	<p>This direction is applicable as the proposal is seeking to allow a particular development to be carried out.</p> <p>The inconsistency with this Direction is justified as this is of minor significance as it will enable an existing building to be operational for functions.</p>
4.1 Flooding	Consistent	<p>This direction applies as Figure 3 demonstrates the site is within the flood planning area.</p> <p>The planning proposal does not seek to rezone or increase the density of the site. The proposed additional permitted use 'function centre' is not a sensitive land use. It is unlikely the future development of a function centre will result in significant flood impacts on neighbouring properties or prohibit the safe evacuation of the site, these matters will be addressed at the development application stage in more detail.</p> <p>The planning proposal does not include a Flood Risk Impact Assessment, however in this circumstance given the minor nature of the proposal, it is not considered necessary and the proposal is consistent with this direction.</p> 

**Figure 3: Flood planning area (Source: Panning proposal, 2024)**

Directions	Consistency	Reasons for Consistency or Inconsistency
4.3 Planning for Bushfire Protection	Inconsistent – further justification required	<p>This direction applies as the south-eastern corner of the site is identified as vegetation buffer (Figure 4).</p>  <p><b>Figure 4: Bushfire prone land map (Source: Spatial Viewer, 2025)</b></p> <p>The site is in proximity to Vegetation Category 3 bushfire prone land. The site has been cleared of vegetation and developed. The site will continue to utilise the existing asset protection zone, evacuation protocol and perimeter road.</p> <p>Whilst the proposal is consistent with aspects of this direction, consultation is required with NSW Rural Fire Service as the site includes bushfire prone land. A condition has been included in the Gateway determination to this effect. Upon completion of the Gateway determination condition the planning proposal will be consistent with the direction, subject to no further issues being identified during consultation with NSW Rural Fire Service.</p>
4.4 Remediation of Contaminated Land	Consistent	<p>This direction applies due to the activities permitted under the applicable RU1 Primary Production zone.</p> <p>A preliminary investigation of the site has been undertaken and found no potential contamination. The planning proposal is consistent with this Direction.</p>
9.1 Rural Zones	Consistent	<p>This direction is applicable as the site is zoned RU1 Primary Production which is a rural zone. The planning proposal is consistent as it is not proposed to rezone or increase the density of the site.</p>
9.2 Rural Lands	Consistent	<p>This direction is applicable given the site is zoned RU1 Primary Production which is a rural zone and sits within the identified local government areas.</p> <p>The planning proposal is consistent with this direction as:</p> <ul style="list-style-type: none"> <li>The planning proposal states the proposal is consistent with all applicable local and regional strategic plans.</li> <li>The additional permitted use will contribute to the social and economic interests of the community by increasing the feasibility of an existing landmark through diversifying the land uses on the site.</li> </ul>



### 3.4 State environmental planning policies (SEPPs)

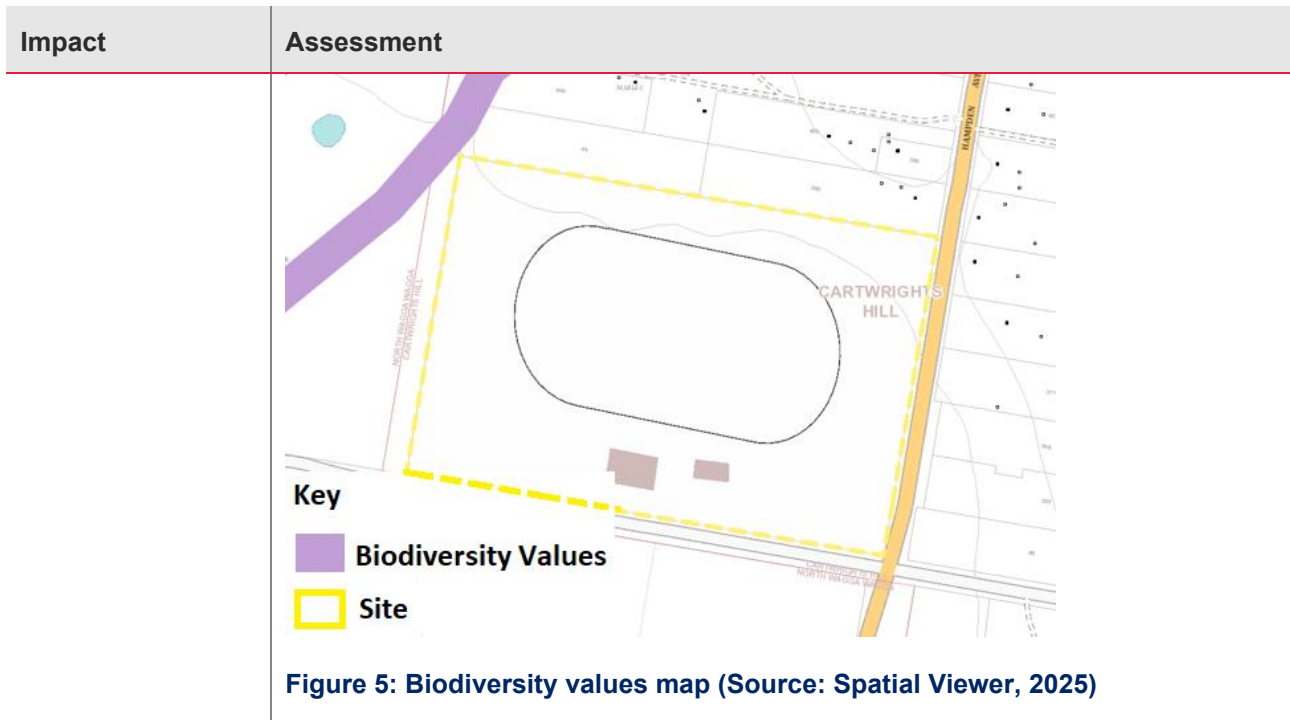
The planning proposal is consistent with all relevant SEPPs. The SEPP (Resilience and Hazards) 2021 will be taken into consideration as part of any future development application.

## 4 Site-specific assessment

The following table provides an assessment of the potential impacts associated with the proposal.

**Table 4 Impact assessment**

Impact	Assessment
Heritage	The planning proposal states an AHIMS search confirmed there are no identified Aboriginal sites or places on the site.
Noise	<p>A noise impact assessment was undertaken by Pulse White Noise Acoustic Pty on March 2025 (<b>Attachment A2</b>) and a peer review by RCA Australia in March 2025 (<b>Attachment A1</b>).</p> <p>The noise impact assessment found:</p> <ul style="list-style-type: none"> <li>• The noise related to traffic generated by the function centre would be compliant with related guidelines.</li> <li>• Mitigation and management controls are required to ensure compliance with the relevant noise emission criteria.</li> <li>• Sleep disturbance noise impacts were compliant against the screening criteria.</li> </ul> <p>The peer review notes that there have been noise complaints related to the PA system at the existing paceway. The assessment noted there is a delineation between the existing paceway and the proposed function centre. The noise related to the proposed function centre is unlikely to make a material difference.</p> <p>Any future development application will assess the noise impacts of a function centre, and include details about the size of the venue, number of patrons and general noise levels. The Department has no concerns regarding noise for the proposal.</p>
Traffic	A Traffic Impact Assessment Report prepared 30 September 2024 ( <b>Attachment A3</b> ) determined if a function centre was permitted at the site there would be an estimated 95 trips in the pre-event peak period and again in the post-event peak period. The modelling found there would be no adverse impacts to the performance of intersections from the additional generated traffic. The proposal would have acceptable traffic impacts which will be further assessed at the development application stage.
Biodiversity	<p>The site does not contain any significant biodiversity, however adjoining the site to the north-west there is land containing 'biodiversity values', Figure 5. It is unlikely any future function centre would impact the vegetation on the neighbouring site.</p> <p>The subject site has been cleared of vegetation and any biodiversity impacts will be assessed in more detail at the development application stage.</p>



## 5 Consultation

### 5.1 Community

The planning proposal is categorised as standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

### 5.2 Agencies

The proposal does not specifically raise which agencies will be consulted.

It is recommended the NSW Rural Fire Service be consulted prior to community consultation on the planning proposal and given 30 working days to comment.

## 6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard.

The Department recommends an LEP completion date of 27 February 2026 in line with its commitment to reducing processing times and in line with the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

## 7 Local plan-making authority

The Department recommends that Council be authorised to be the local plan-making authority for this proposal.

## 8 Recommendation

It is recommended the delegate of the Secretary:

- agree that any inconsistency with section 9.1 Direction 1.4 Site Specific Provisions is considered to be justified and of minor significance.
- note that the consistency with section 9.1 Direction 4.3 Planning for Bushfire Protection is to be determined following consultation with the NSW Rural Fire Service.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition consultation is required with the NSW Rural Fire Service.
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 27 February 2026 be included on the Gateway.

The timeframe for the LEP to be completed is on or before 27 February 2026



9/7/2025

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