

From: noreply@feedback.planningportal.nsw.gov.au on behalf of [NSW Planning Portal - Department of Planning, Industry and Environment](#)
To: [DPE PS ePlanning Exhibitions Mailbox](#)
Subject: Webform submission from: Activation Precincts SEPP and the Wagga Wagga master plan
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Attachments: [submission-b1.pdf](#)

Submitted on Wed, 23/09/2020 - 13:27

Submitted by: Anonymous

Submitted values are:

Submission Type: I am making a personal submission

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Submission file:

[submission-b1.pdf](#)

Submission: Submission B1 as attached

URL: <https://pp.planningportal.nsw.gov.au/WaggaWaggaSAP>

Submission B1

Submission Regarding Wagga Wagga Special Activation Precinct

Unfair and Inequitable Community Consultation

I wish to express my concern that the most recent version of the Wagga Wagga Special Activation Precinct has been developed based on an unfair and inequitable process.

The initial Bomen Urban Release Area was specified in Part E Section 13 of the Wagga Wagga Development Control Plan 2010 (DCP 2010). This plan was developed by Wagga Wagga City Council and had been adhered to over several years. The Release Area was defined as being contained within the boundary of the Olympic Way, Byrnes Road and Trahairs Road and with other northern development being located east of Byrnes Road and bordering the Eunony Valley.

The Strategic Economic and Employment Analysis prepared for the Department of **Planning, Industry and Environment by Macroplan Section 11 states:**

“As part of the development of the structure plan for the Wagga Wagga SAP Investigation Area, three concept scenario options were developed (known as scenarios 4,5 and 7) in a short enquiry by design workshop held in August 2019”.

It is notable that none of these “scenarios” was consistent with the Wagga Wagga Spatial Plan 2013 – 2043, the Bomen Employment Land Structure Plan (2018) or the Development Control Plan, which had been developed over a long period of time and in consistency with the Wagga Wagga LEP 2010.

I would also emphasise the description that indicates the process was a “**short** enquiry by design”

No explanation has been provided as to why analysis was not carried out based on the existing Wagga Wagga City Council plans i.e.DCP10.

No explanation has been provided of the reason to develop new scenarios within a relatively short period of time, nor have the participants in the short enquiry by design workshop been specifically identified.

The Macroplan report however states regarding stakeholder consultation that:

“Those consulted represented:

- **The Community, specifically residents of the Eunony Valley”**

Additionally, in relation to the SAP Location and Uses the Macroplan report states:

- **“The local community, mostly residents of Eunony Valley, were concerned about the location and proposed uses within SAP.”**
- **Members of the community were of the opinion that industrial development should be restricted to the western side of Byrnes Road.”**

It would appear that the residents of Eunony Valley were given unfair and preferential treatment in expressing their opinions regarding the location of the SAP.

In all public consultation meetings to which Brucedale residents were invited, there was no option to express views as to the best options for location of the precinct.

The main direction of the consultation was to the effect that we have decided that scenario 7 is the chosen option and we are now presenting this to you as basically a foregone conclusion.

Of most recent note, is the statement in the Jensen Plus / WSP Visual Analysis dated September 2020 which states:

“The Regional Enterprise zone was planned as a centralised north-south spine on the basis of:

Maintaining a separation of industrial uses from residential communities in the Eunony Valley.”

Therefore, I wish to reiterate my view that the process has been unfair and inequitable in giving one community group opportunities that were not provided to other community groups. There is a clear and obvious prejudice to benefit the Eunony Valley residents rather than prepare a fair and balanced option to all communities.

I would further state that the Bomen Industrial Precinct as defined in the Wagga Local Environmental Plan 2010, the Wagga Wagga Development Control Plan 2010, the Wagga Wagga Spatial Plan 2013 – 2043 and the Bomen Employment Land Structure Plan (2018) was correct and that the SAP precinct should be retained in accordance with those documents.

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Submission B2

Submission Regarding Wagga Wagga Special Activation Precinct

Special Activation Precinct Wagga Wagga Draft Master Plan

I wish to express my concern and objection to a number of issues regarding the Draft Master Plan.

1. Firstly, I would note that many of the recently prepared reports closely resemble the principles and details of the Wagga Wagga Development Control Plan 2010 but have now been adjusted to what would appear to be a pre-determined agenda of moving the Bomen Urban Release Area to the west.
2. The plan states that no large-scale solar farms will be permitted in the Rural Activity Zone. Solar farms, regardless of size, should be prohibited from being established other than in close proximity to the existing solar farms located east of Byrnes Road. This is due to the impact of significantly reducing the benefits of highly valuable arable land and their visual effect on the environment.

Additionally, the Design for a better future report prepared by WSP states "it is concluded that 100% of the annual electricity demand of the SAP can be met via rooftop solar PV and the four identified bioenergy projects".

Similarly, the statement that there is a need to ensure that new solar energy generating works are appropriately located would appear to be misleading. The visual amenity report presentation of solar farms being located along Sutherlands Road immediately contradicts this suggestion.

The statement that small scale energy generating facilities (up to 35 hectares in size) will be permissible as Complying Development in parts of the Rural Activity Zone as defined in Figure 5 Permissibility of solar energy generating facilities is also a matter of interpretation. What is "small" to one party may be "big" to another party. I personally do not consider a solar farm potentially occupying up to one hundred acres as being "small." Such size would have a major visual impact.

I would also draw attention to the fact that the visual impact assessment indicated potential solar farms being located along Sutherlands Road. Such location contradicts the area delineated in Figure 5 and further casts doubt on the thoroughness and integrity of the plan, and the process to develop it.

Why would no further solar farms be permitted in the Eunony Valley but new solar farms be permitted west of the zone. If the visual amenity of Eunony

Valley has already been destroyed then why permit something similar to happen in the east. Thirty five hectares is not a small area.

Also Amendment No.1 – Introduction of Wagga Wagga Special Activation Precinct dated 17 July 2020 indicates that prohibited development in the Rural Activity Zone includes “solar energy generating facility”.

There are numerous inconsistencies and inaccuracies throughout the many reports and there is a need for clear and accurate details to be provided in one clear and succinct document so that details can be adequately reviewed.

3. The plan repeatedly states that it will result in attracting industries that specialise in agri-business or resource related advanced manufacturing and packaging activities. It is of particular interest that an enterprise such as a waste disposal facility is permitted as being Complying Development. How this could be interpreted as a resource related advanced manufacturing and / or packaging activity is somewhat surprising.

Amendment No.1 – Introduction of Wagga Wagga Special Activation Precinct dated 17 July 2020 indicates that land uses permitted with consent include waste disposal facilities. I cannot see how a waste disposal facility is a high technology or advanced manufacturing concept.

Waste disposal facilities should specifically be excluded from development.

4. The plan, under the heading of “A Good Neighbour” states that the land use boundaries for the precinct has been informed by detailed modelling of noise, air and **view** impacts. This is in fact not true as no visual impact assessment was made in the preliminary stages proper to the plan being published.

In fact, the visual impact assessment was only completed in September 2020 and is highly deficient and inadequate in its presentation of visual impact. The fact that the assessment was conducted remotely and by machine modelling is disgusting.

The plan also further states that the precinct's rural setting will be a fundamental part of its character and appeal and creates a green outlook for neighbours looking into the industrial area. This is greatly inaccurate, particularly from the perspective of residents at Brucedale and Mary Gilmore Road. Moving the boundary west, and potentially permitting the development of solar farms, will greatly negatively impact the amenity of these residents.

Similarly, the statement that the precinct will be developed in a way that respects and protects the amenity enjoyed by residents at Cartwrights Hill, Eunony Valley, and Brucedale and adjoining residential areas is also grossly inaccurate.

The “aim” to ensure appropriate amenity and outlook for the neighbouring residential and rural areas has already failed.

The statement that the Activation Precincts SEPP will amend the boundary of the industrial area to concentrate new development within the valley, and out of the line of sight from residents where possible merely reiterates that the residents of Eunony Valley have had disproportionate input to the process. Moving the boundary will thoroughly contradict this statement by substantially increasing the impact on residents at Brucedale and Mary Gilmore Road in particular.

In the letter to Brucedale landowners from DPIE dated 24 July 2020 it is stated: “The protection of amenity enjoyed by Brucedale and adjoining rural and residential communities has been at the forefront of our planning.” This is clearly false and inaccurate as the visual impact assessment had not even been completed at this stage.

Further statements in this document are also inaccurate.

5. The statement that the Regional Enterprise Zone is similar in area to the existing General Industrial Zone but the boundary has been shaped so that it is located in the valley between Olympic Way and Byrnes Road and that this makes the most of the topography, and trees and vegetation to separate industry from nearby residential communities is grossly incorrect and misleading. The relocation of the boundary actually exposes a greater number of residents in Brucedale, Boorooma and the area located between Coolamon Road and the Olympic Way to potential issues relating to noise, odour and visual impact.

The relocation of the boundary also greatly reduces the potential for residential development in the area between Coolamon Road and the Olympic Way and which is primarily suited to such development. Close proximity to Charles Sturt University, the Riverina Anglican College primary and senior schools, the new Estella primary school and the Coolamon Road and Olympic Way transport infrastructure which provides short distance and fast access to central Wagga means that this is a highly attractive area for residential development. This development would not require major short-term infrastructure changes.

As recently stated by Wagga's mayor Mr Greg Conkey there is limited availability of highly sought after residential locations in the north of Wagga. Similarly, on 18th September 2020 Mayor Conkey is quoted as saying “There is a land shortage in the city.”

Shifting the boundary to the west is a major negative impact of the proposal.

6. The statement that ongoing input from the community, landowners, businesses, and other key stakeholders has also informed the master planning process is also misleading and inaccurate. The initial community discussions were presented with the precinct detailed as specified in the Wagga Wagga Local Environmental Plan 2010 and this was acceptable to Brucedale residents as being reasonable and consistent.

However in the later meetings, the revised plan was displayed, more or less, as a fait accompli and it was apparent that any input would most likely be ignored.

It also appears that some community members i.e. Eunony Valley, were provided unfair and inequitable opportunity to influence the location of the proposed boundaries.

7. The plan also states that developers and businesses will have certainty about planning outcomes and can expect quick planning approvals for appropriate development. It is notable that the plan does not specifically designate what is "appropriate" development. It is also noteworthy that most delays in the planning approval process are actually caused by the processes introduced by the Department of Planning, Industry and Environment itself.

Perhaps the DPIE should review all its policies and processes and streamline them.

8. The plan states that the Regional Enterprise zone is 1,335 hectares and the Rural Activity zone is 3,170 hectares. This appears to be an excessive area of land to be established as a buffer to what is supposedly a high technology and environmentally friendly environment consisting mainly of industrial, manufacturing, freight and logistics and rural industries. The DCP10 considered 300m to be the extent of necessary buffer zones.

The fact that **potentially hazardous development** and **potentially offensive industries** will be permitted contradicts the principles of being high technology and environmentally friendly. The fact that educational establishments and training facilities are proposed to be permitted also appears to be anomalous and confused.

9. If the plan is about promoting regional development, then why will the Regional Growth Development Corporation be based in Sydney? Surely it would be appropriate for this entity to be based in Wagga, or similar rural township if this plan is really about promoting regional growth.
10. Considering the Todoroski Air Sciences Final Draft Master Plan relating to Air, Noise and Odour it is indicated that the predominant wind direction is from the

east and east-northeast. Moving the precinct from east of Byrnes Road will increase the threat to the health and welfare of Brucedale and Mary Gilmore Road residents by increasing exposure to noise, odour and potentially carcinogenic emission generating industries.

Todoroski also states emissions released from stacks will have their impacts in parts of the surrounding elevated terrain, and somewhat away from the source. Again, the potential impact on Brucedale and Mary Gilmore Road residents is increased.

The Todoroski Air Sciences Final Draft Master Plan relating to Air, Noise and Odour stated there would be large potential to impact many dwellings and rural land to the north of the SAP with regard to air and odour emissions. The report also states that there is a high scope for land and significant number of dwellings to the north to be severely impacted by noise. In effect, Todoroski is supporting moving the precinct further away from Brucedale and in what should be the area defined in the LEP 2010.

11. It is notable that the Bomen Strategic Plan 2009 envisaged moving Byrnes Road further east into the Eunony Valley so that both sides of the rail line could be readily accessed by industry. Again this was sensible and thoroughly well thought out and would still provide the best option to all parties.

I fail to understand why a significant amount of money has been spent on re-doing studies and concepts that were well defined and determined in a long period in excess of 10 years and which were acceptable to the community.

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Submission regarding Visual Impact Assessment

The Visual Impact Assessment prepared by Jensen Plus and dated September 2020 raises a number of issues which include:

1. It is stated that the Regional enterprise zone was planned as a centralised north-south spine on the basis of:
 - a. **Maintaining a separation of industrial uses from residential communities in the Eunony Valley to the east, by containing most new industry land west of the Byrnes Road ridge.**

This statement indicates that the report is biased and has been prepared on a prejudiced and unequal approach.

The report should be based on determining, on a fair and balanced approach, the best options whilst taking into account all aspects of exposure from **ALL** members of the community, not just a small number of residents who appear to have gained an unfair advantage in submitting their views.

2. The assessment states that small scale solar farms in the Northern parts of the area where they are proposed to be permitted in the Rural Activity Zone (closest to Brucedale's Western boundary and adjacent Sutherland's Road) should be reconsidered.

Amendment No.1 – Introduction of Wagga Wagga Special Activation Precinct dated 17 July 2020 indicates that prohibited development in the Rural Activity Zone includes "solar energy generating facility".

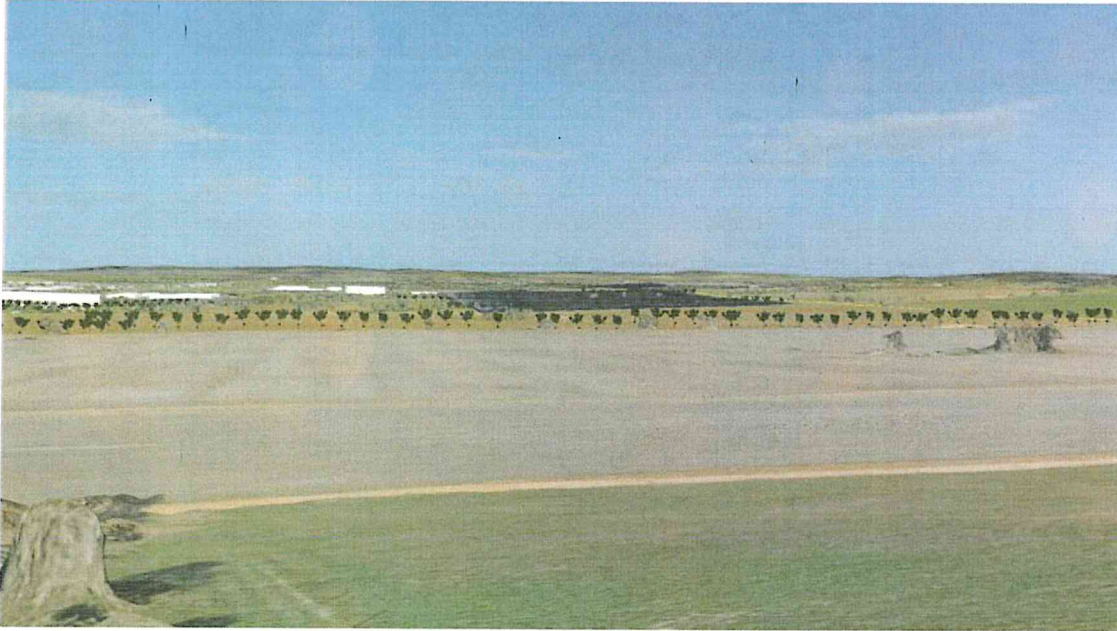
It would appear that the Visual Impact assessment contradicts the above amendment.

Also, the visual presentations presented in the assessment are grossly misleading and understate the impact of proposals on the Brucedale and proposed northern growth area.

The following images display the huge difference in visualisation when actual images are compared with the presented image.

Clearly, establishing tree plantings along Sutherland's Road will have minimal, if any impact, on the view.

Viewpoint 3 - Brucedale Drive (West), Brucedale



Viewpoint 3 showing revised location for Northern most small scale solar farm

Viewpoint 3 looking directly towards Sutherlands Road.



Viewpoint 3 looking directly towards Sutherlands Road.

3. The presentation of the visual amenity from Viewpoint 2 Brucedale Drive (Central) Street Level is again misleading and inaccurate. Whilst the assessment states that “when standing at street level the view is currently partially obstructed by the roof of number 22 Brucedale Drive and by tree planting in and around Brucedale Drive.”

This is fundamentally incorrect and inaccurate. 22 Brucedale Drive is located on the lower side of Brucedale Drive and in one of the lower height (AHD) residences in Brucedale, and as can be seen from the photograph shown below, there is no barrier to views when taken from street level at 22 Brucedale Drive.



Before



After



Viewpoint 2

Brucedale Drive (Central), Brucedale - Street Level

Selected for analysis due to the elevated location of this community and the orientation of the properties along Brucedale Drive towards the SAP.

- When standing at street level the view is currently partially obstructed by the roof of number 22 Brucedale Drive and by tree planting in and around Brucedale Drive. Views will be glimpsed through these tree canopies (this is not picked up by the modelling). These foreground elements are more dominant in the viewscope at street level than from property height.
- The topographical character of the landscape still remains strong as per the previous comments (see Viewpoint 1) and buildings do not “skayline” on the horizon view is preserved.
- As per previous comments (see Viewpoint 1) some design elements such as the creek-line revegetation and rural road replanting are effective in “greening” of the North Western SAP boundary.

What would further improve that view?

- See Viewpoint 1



Viewpoint 2. 22 Brucedale Drive Street Level

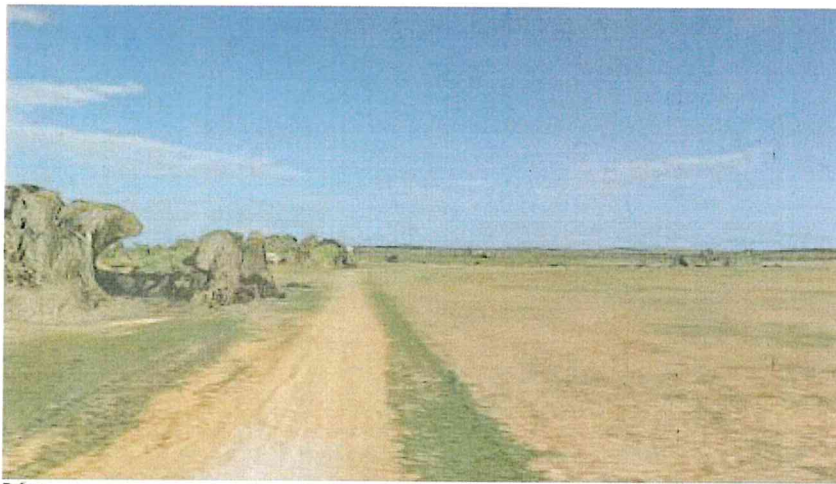
4. The assessment states in relation to Viewpoint 4 that “There doesn’t appear to be public access to this viewpoint.” Once again this is misleading and inaccurate. Viewpoint 4 is effectively the cul-de-sac at the end of Brucedale Drive. This cul-de-sac is used by residents and has been the location of many community gatherings over the years, due to its highly attractive viewpoints. Obviously, planting trees will have minimal, or nil, impact on improving the visual amenity.

Should the original Development Control Plan 2010 precinct be adhered to and retained south of Trahairs Road and east of Byrnes Road then the visual amenity from this location would be largely preserved.



5. In relation to Viewpoint 6 Mary Gilmore Road (East) the assessment states: "their doesn't appear to be public access to this viewpoint."

Again this is inaccurate and incorrect and the pictorials presented are not representative of the real visual impact. The alternate photograph taken from Mary Gilmore Road indicates the true visual impact on residents.



Before



After



Viewpoint 6 Mary Gilmore Road

6. In relation to Viewpoint 9 the digital representation is grossly inaccurate and misleading in that it states that: "The SAP does not appear to be visible from this viewpoint" and "The solar farms do not appear to be visible from this location." It tends to indicate the land is basically flat.

Once again this is greatly inaccurate and misleading as can be seen in the photograph below which was taken from the western edge of the SAP and in proximity of Poiles Road.



Before



After

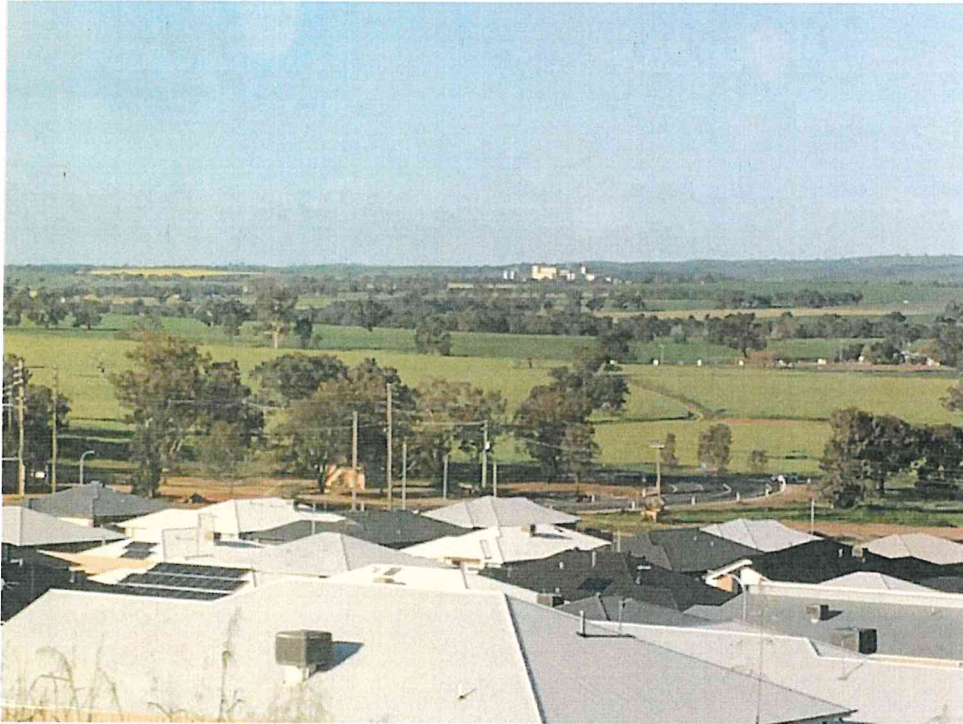


Viewpoint 9 Polies Road

7. It is noteworthy that no visual impact assessment has been done in relation to the residents of Boorooma. The photograph below was taken from Explorer Park in the Boorooma

residential area and there will clearly be an impact on residents of this suburb and users of the park.

Once again, the assessment is superficial and inaccurate in its presentations, or lack thereof.



8. The assessment also seems to focus on “private” views that would be impacted and seems to suggest that views from public spaces are not impacted. The photograph below is taken from the Brucedale Public reserve and indicates the significant impact on this publicly accessible point.



In summary, it would appear that the visual assessment report is highly inaccurate misrepresentative and is presenting a pre-determined outcome. By utilisation of digital modelling it has presented features that show little reflection of reality. The fact that digital modelling has been used in this process is disgusting and unacceptable.

The Visual assessment is unacceptable and needs to be re-done by an independent body and evaluate both the original DCP 2010 plan in comparison to the current proposal.