
Special Activation Precinct

WAGGAWAGGA

Response to Submissions Report

Draft Master Plan and Discussion Paper

May 2021



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Acknowledgement

We acknowledge the Wiradjuri people who are the traditional land owners of the Wagga Wagga Region. The Wiradjuri is the largest Aboriginal nation in NSW. The Wiradjuri lands were signposted with scar trees and these and any other remaining artefacts will be identified and respected in the development of the Special Activation Precinct. We wish to design places where Aboriginal people are socially, culturally and economically included. We also acknowledge all the Aboriginal and Torres Strait Islander families in our community and acknowledge their physical and spiritual connections to their land.

Introduction

Purpose of the report

The draft Master Plan for the Wagga Wagga Special Activation Precinct was put on public exhibition by the Department of Planning, Industry and Environment from 21 July until 29 September 2020. During this time, landowners, stakeholders and the wider community were invited to provide submissions. At the same time, the Department also exhibited a Discussion Paper outlining the explanation of intended effect of an update to the State Environmental Planning Policy (Activation Precincts) 2020 (Activation Precincts SEPP) that enables the planning and delivery of the Precinct. The Department received a total of 94 submissions.

This report summarises:

- the engagement program during the exhibition period of the Wagga Wagga Special Activation Precinct draft Master Plan and Discussion Paper;
- the feedback received; and
- the Department's response and actions related to the feedback.

The responses have guided the refinement of the Wagga Wagga Special Activation Precinct Master Plan and update to the Activation Precincts SEPP.

Background

In July 2018, the Deputy Premier announced the establishment of Special Activation Precincts as part of the NSW Government's 20-year economic vision for Regional NSW. Special Activation Precincts are one of the five regional priorities funded by the NSW Government's \$4.2 billion Snowy Hydro Legacy Fund. All \$4.2 billion is earmarked to be spent in regional NSW to build on the rapid growth and opportunities in the regions.

In January 2019 the NSW Government announced Wagga Wagga as the location for the State's second Special Activation Precinct.

What are Special Activation Precincts?

Special Activation Precincts are dedicated areas in regional NSW, identified by the NSW Government, to become thriving business hubs. The Special Activation Precinct program facilitates job creation and economic development in these areas through infrastructure investment, streamlining planning approvals, investor attraction and supporting businesses to establish in the precincts.

Special Activation Precincts are unique to regional NSW. By focusing on planning and investment, the goal is to stimulate economic development and create jobs in line with the competitive advantages and economic strengths of a region. Locations are chosen because they align with:



The economic enablers in the 20 Year Economic Vision for Regional NSW



The growth opportunities for new and existing industries



The projected population and jobs growth indicators



Catalyst opportunities or other key infrastructure projects that are either coming online or are underway (such as Inland Rail)

The planning framework for each Special Activation Precinct includes three key parts:



State Environmental Planning Policy (Activation Precincts) 2020

- Identifies each Special Activation Precinct.
- Requires that an Activation Precinct Certificate be sought prior to a development application or complying development certificate being issued, to ensure the development is consistent with the Master Plan and Delivery Plan.
- Provides zoning and land use controls for each Precinct.
- Identifies Exempt and Complying Development pathways for certain development.

Special Activation Precinct Master Plans

- Made by the NSW Department of Planning, Industry and Environment and approved by the Minister.
- Identifies the Vision, Aspirations and Principles for the Precinct.
- Provides more detailed land use controls where required.
- Identifies Performance Criteria at a Precinct-scale for amenity, environmental performance and infrastructure provision.
- Identifies the matters to be addressed as part of the Delivery Plan.

Special Activation Precinct Delivery Plans

- Prepared by Regional Growth NSW and approved by the Planning Secretary.
- Identifies site-level development controls.
- Provides detailed strategies and plans for:
 - Aboriginal cultural heritage
 - Environmental protection and management \
 - Protection of amenity
 - Infrastructure and services
 - Staging.
- Provides procedures for ongoing monitoring and reporting.

Planning for the Wagga Wagga Special Activation Precinct

The Wagga Wagga Special Activation Precinct was chosen due to the region's existing strengths in agriculture and the economic opportunities associated with Wagga Wagga's strategic location, midway between Sydney and Melbourne, and just 10 hours' drive to Adelaide. The Precinct will build on the success of the existing employment hub at its centre and major rail and logistics infrastructure investment in the area, which has the potential to generate economic growth and business and employment opportunities for the Riverina region.

The master planning process for the Wagga Wagga Special Activation Precinct began in early 2019 by investigating an area of 4,506 hectares spanning out from the Bomen Business Park. Technical experts spent over 12 months looking at biodiversity, water, infrastructure, transport, sustainable development, culture, heritage, social infrastructure and economic modelling to inform the Master Plan and update to the Special Activation Precincts SEPP. This was underpinned by an extensive community engagement program.

The Wagga Wagga Special Activation Precinct Master Plan will be realised over 40 years.

The Special Activation Precincts program adopts a collaborative and integrated whole-of-government approach, bringing together the local Council and a range of other relevant State and local agencies. The agencies that have been involved in guiding the planning of the Wagga Wagga Special Activation Precinct through an established Project Control Group include:

- Wagga Wagga City Council
- Regional NSW Growth Development Corporation
- Department of Regional NSW (including Primary Industries)
- NSW Department of Premier and Cabinet (including Heritage NSW)
- NSW Environmental Protection Authority
- NSW Department of Planning Industry and Environment (including Environment, Energy and Science and Water)
- Transport for NSW (including Roads and Maritime Services)
- NSW Crown Lands

Structure of this report

This report is structured as follows:

Section 1 – Engagement approach

Section 2 – Overview of submissions

Section 3 – Response to key issues raised in submissions

Section 4 – Other identified improvements

Section 5 – Summary of updates to the Master Plan and Activation Precincts SEPP amendment

Section 6 - Next steps

1. Engagement approach

Community consultation is an important aspect of planning for Special Activation Precincts.

The approach to community consultation was to inform the community of what was being planned for, communicate in an open and transparent manner and seek feedback ahead of releasing the draft Master Plan and Discussion Paper.

The Department led community engagement, alongside Wagga Wagga City Council.

The Department would like to thank the Wagga Wagga community for their participation and involvement.

1.1 Engagement leading up to the exhibition of the draft master plan

Community consultation commenced eighteen months before the draft master plan was exhibited with landowners in and adjoining the investigation area, key community stakeholders and the broader Wagga Wagga community.

The intention of early engagement was to keep the community and key stakeholders updated and informed as plans were being developed.

Consultation activities included hosting business forums, community meetings, focus groups, pop-ups and landowner briefing sessions.

1.2 Engagement during the exhibition of the draft Master Plan

The Department exhibited the draft Master Plan from 21 July 2020 – 29 September 2020. The aim of the engagement program was to raise awareness and seek feedback on the draft Master Plan, respond to issues and continue to maintain a dialogue with the community and key stakeholders.

The standard 28-day exhibition period was extended to 49 days due to community feedback and limitations in being able to conduct face-to-face consultation during the Covid-19 pandemic.

The 49-day exhibition period was subsequently extended for a further 2 weeks (56-days) as the Department released the Visual Impact Analysis report during the exhibition period. This extension gave the community and other key stakeholders adequate time to review the report.

1.3 Who we engaged with

During the exhibition period, the Department communicated and engaged with:

- Landowners in the Special Activation Precinct
- Immediate neighbours
- Committee4Wagga and Business Chamber members
- Wagga Wagga Local Council Planners and Councillors
- Key Aboriginal community members
- The broader Wagga Wagga community

1.4 How we engaged







The Department's engagement program involved several ways and activities to reach key stakeholders outlined above to provide information to help with submissions during the formal exhibition period.

Prior to the exhibition of the draft Master Plan, the Department held a series of community and business meetings that outlined the main elements of the draft Master Plan, including the boundary of the Special Activation Precinct. This provided the community and key stakeholders with an opportunity to preview maps, land uses and performance criteria ahead of the formal release of the draft Master Plan.

Alongside the traditional methods of engagement during the exhibition period, the Department also developed a digital engagement platform, Social Pinpoint, that provided the community and key stakeholders with another avenue for providing feedback. There was also an option to fill in a short survey about the principles underpinning the Wagga Wagga Special Activation Precinct.

Based on feedback received during the exhibition period, the Department held additional meetings with the community and landowners to address concerns, mainly about air, noise, odour and visual impacts. The Department's technical consultant, Todoroski Air Sciences, attended community and landowner presentations in Wagga Wagga to explain the methodology behind his report. This was received well by the community.

The Department also arranged one-on-one meetings with landowners and other individuals who had raised issues in their submissions or requested meetings, to explain the proposed amendments to the draft Master Plan in more detail.

	<p>Direct mail</p> <p>123 letters were mailed out to landowners in the Precinct, along with a USB stick with the draft Master Plan and technical studies so that landowners didn't have to download all the documents from the Planning Portal website. The letter outlined ways to provide feedback and invited landowners to community meetings.</p> <p>118 letters were also mailed out to immediate neighbours, that outlined ways to provide feedback and inviting landowners to community meetings. USB sticks were available from Wagga Wagga City Council.</p>
	<p>Emails and phone calls</p> <p>In addition to the mailout, the Department issued two emails to 93 stakeholders on its database: 1. Notification of the exhibition of the draft Master Plan and ways to provide feedback and 2. Of the 2-week extension to the exhibition period.</p> <p>The Department also issued emails to landowners inviting them to community meetings. The Department also responded to inquiries via the activation precincts mailbox.</p>
	<p>Landowner and community meetings</p> <p>The Department held 8 community and business meetings, each specifically tailored to landowner and community issues. A total of 94 registered landowners and other stakeholders attended the meetings. The meetings were held face to face and online.</p> <p>The meetings detailed the elements of the draft master plan, the new zones, land uses and planning pathway, with the focus on air, noise, odour and visual impacts. The Regional Growth NSW Development Corporation also attended the meetings and provided an overview of the delivery milestones.</p> <p>The community meetings were also advertised on the Department's Wagga Wagga webpage.</p> <p>Once submissions were received, a further 10 meetings were held with landowners and immediate neighbours to address specific concerns.</p>
	<p>Stakeholder meetings</p> <p>The Department presented the draft master plan at a Committee4Wagga members' forum, which also included Wagga Wagga Chamber of Commerce members.</p> <p>The presentation was tailored to the business sector, with a focus on business and economic development opportunities related to the Special Activation Precinct.</p> <p>The Department also briefed Wagga Wagga City Councillors on the draft master plan.</p>
	<p>Digital</p> <p>Social Pinpoint was used to capture feedback online via an interactive map and a survey. There was a total of 2,700 visits to the site with 52 comments and 11 responses to the survey.</p> <p>The Department also promoted the exhibition period on its social media channels. The campaign reached 64,170 people resulting in 1,300 clicks to the Planning Portal website.</p> <p>The Department also advertised the landowner meetings on the Wagga Wagga webpage.</p>
	<p>The Deputy Premier announced the exhibition of the draft master plan in Wagga Wagga and issued a media release.</p> <p>The Department placed 3 notification ads in the Daily Advertiser and ran 15 notification radio ads on Hit93.1, Triple M Wagga and National Southern Cross Austereo, promoting the exhibition of the draft master plan and encouraging submissions.</p>

1.5 Main themes from consultation

The main themes arising from community consultation align with the issues raised in the submissions from the community, landowners and businesses (refer to section 3). They include:

- Visual and amenity impacts
- Air, noise and odour impacts
- Re-zoning of land to Regional Enterprise to the north of Trahairs Road
- Precinct boundary extending north of Trahairs Road
- Change of land uses in the Rural Activity Zone

Feedback from Social Pinpoint included (sentiment totals are shown at **Figure 1**):

- Noise and visual impacts
- Changes to land uses
- Planting of trees to act as a buffer
- Relocation of the Borambola Sport and Recreation Centre
- Solar farms permissible in the Rural Activity Zone
- Energy generation, battery storage, microgrid infrastructure to be shared across the Precinct
- Overseas examples for best practice regarding energy from waste
- Engage with school children for revegetation programs
- Protection of long necked turtles
- Alternate access points to Brucedale Chapel and the school
- Support for the Special Activation Precinct

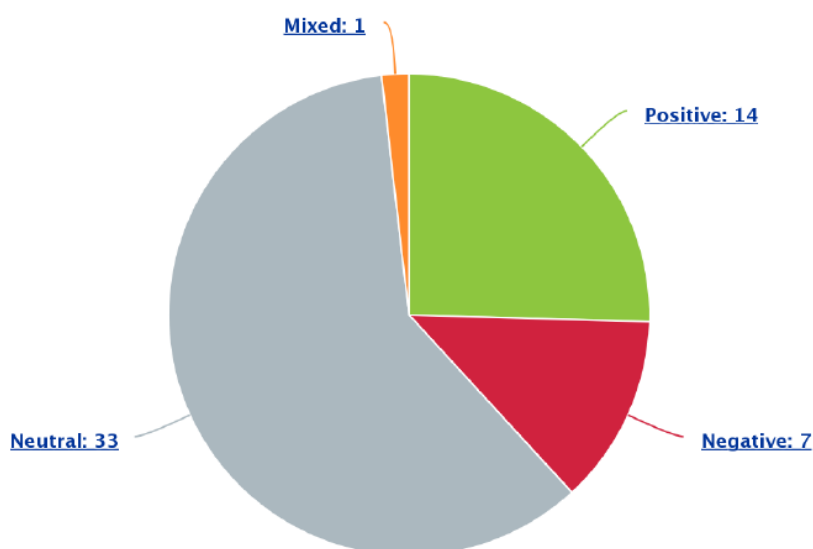


Figure 1 Sentiment totals from social pinpoint comments

There were only 11 responses to the survey, therefore not a true representative sample. The main feedback included:

- Realignment of the new Regional Enterprise Zone that has less impact on Brucedale landowners
- Rural Activity Zone to better support rural landowners
- Support for a new planning pathway that makes it easier for businesses to establish and expand
- Support for solar to hydrogen network
- Support for the vision of the Precinct, including economic development, environment and sustainability and community the most important planning principles for the Precinct.

2. Overview of submissions

A total of 94 submissions were received following the exhibition of the Draft Master Plan. This includes the following.

- 65 submissions received from members of the community.
- 16 submissions received from non-government organisations including:
 - TransGrid
 - APA Group
 - NSW Property Council
 - Wagga Wagga Business Chamber
 - Committee4Wagga
 - Charles Sturt University
 - Housing Industry Association
 - Registered Aboriginal Parties
 - Businesses
- 13 submissions received from government agencies including:
 - NSW Department of Environment, Energy and Science
 - NSW Department of Primary Industries (Fisheries and Land Use Planning)
 - NSW Department of Premier and Cabinet – Heritage NSW
 - Fire and Rescue NSW
 - NSW Rural Fire Service
 - School Infrastructure NSW
 - Riverina Water County Council
 - WaterNSW
 - Sustainability Advantage

Of the 94 submissions received, 31 object to the proposal and 63 provided comment or are in support. It should be noted that some submissions which objected to the proposal did raise support for certain aspects of the proposal.

The issues raised in the submissions can be categorised under the following themes:

- Land use and zoning
- Environment and amenity
- Heritage

- Transport and Infrastructure
- Safety
- Consultation
- Precinct delivery

The submissions raised a variety of different views on a range of topics across the themes. The overarching areas of support and concern identified in the analysis of the submissions are summarised below:

Support for:

- Streamlining the planning process, offering growth opportunities to attract new industries to the Riverina and allowing local businesses to expand.
- Creating jobs, bringing people with specialist skill sets to the area, facilitating achieving the projected population targets for the area and making Wagga Wagga an attractive place to relocate.
- Attracting innovative companies and facilitating synergies between businesses.
- Positive impacts on both businesses located within the Precinct and the flow on effect to local businesses within the City and region.
- Minimising land use conflicts and improving certainty for business.
- Facilitating sustainability and good environmental planning outcomes.
- Expanding north rather than east to utilise and leverage infrastructure and support environmental outcomes.
- The community consultation process.

Concerns around:

- Environmental and amenity impacts related to things such as noise, air pollution, odour, visual, water and biodiversity.
- Changes in zoning and associated changes in permitted and prohibited land uses.
- Consideration of, and impacts to, aboriginal and European heritage.
- Capacity of existing infrastructure, certainty around timeframes of the delivery of future infrastructure and funding for infrastructure.
- Safety and the types of future development within the Precinct.
- The community consultation process.
- Impacts on property values and the process of property acquisition and compensation.
- Ability to comment on individual planning applications and how future development will be assessed.

Details of the response to key issues raised as part of submissions received from the community, government agencies, non-government organisations, and responses by the Department are discussed in Sections 3 of this Response to Submissions Report.

With consideration of the submissions received, amendments have been made to the draft Master Plan and SEPP amendment, as detailed in Section 4 of this Response to Submissions Report.

3. Response to key issues raised in submissions

The following section provides a summary of the key issues raised in submissions and the Department's response to these issues.

3.1 Theme: Land use and zoning

3.1.1 Land use permissibility and extent of the Regional Enterprise Zone

Main issues raised in submissions

Rezoning of land north of Trahairs Road

- Concerns regarding the rezoning of land to the north of Trahairs Road from rural to Regional Enterprise and the risks and amenity issues for surrounding communities and the loss of productive farmland.

Separation between Regional Enterprise Zone and surrounding communities

- Requests for clarification as to why there are greater separation distances between certain adjacent communities and the Regional Enterprise Zone when compared to others.

Land uses permitted within the Regional Enterprise Zone

- Requests that land uses in the Regional Enterprise Zone to the North of Trahairs Road be restricted to only include those that would have the least impact on residents in the area.
- Requests that restrictions be put in place around the timing for when development could occur to the north of Trahairs Road.
- Requests that certain types of development permitted in the Regional Enterprise Zone, such as waste disposal facilities, not be permitted as complying development.
- Concerns that there were conflicts between some of the land uses proposed to be permitted in the Regional Enterprise Zone.

Extension of Regional Enterprise Zone

- Wagga Wagga City Council requested that a lot located at the corner of Byrnes Road and East Bomen Road, Bomen be included with the Regional Enterprise Zone.

Response

Rezoning of land north of Trahairs Road

Based on the land uptake determined in the Strategic Economic and Employment Analysis (Macroplan, 2020) which was tested by technical consultants CBRE, the land zoned for Regional Enterprise to the north of Trahairs Road is essential to provide for future development within the Precinct. The plan accommodates industry and employment land supply for the long term (40+ years). The testing by CBRE determined that the remainder of the land zoned for Regional Enterprise to the south of Trahairs Road would likely be at capacity within 20 years.

The realignment of land zoned for industrial and employment purposes from the east of Byrnes Road to the north of Trahairs Road, in between Olympic Highway and Byrnes Road, has been driven by the findings of the technical studies and demand over 40 years. Key factors that have informed this proposed change include:

- protection of important groundwater recharge areas located in the east of the Precinct;
- unsuitable topography in the east for industrial development;
- better access to existing infrastructure including the Olympic Highway and rail connections;

- better servicing from trunk infrastructure including sewer, potable water and stormwater;
- consolidation of the industrial precinct in the valley between the Olympic Highway and Byrnes Road to maximise separation between industry and rural landscape; and
- the land adjacent to inland rail is made available for future uses that can leverage from this critical piece of infrastructure.

Separation between Regional Enterprise Zone and surrounding communities

The controls in the Master Plan will serve to restrict the types of development that will be permitted in the areas closest to neighbouring rural and residential communities. The air, noise and odour controls for the land to the north of Trahairs Road and in the southern edges of the Regional Enterprise Zone are more restrictive (refer **Figure 2**) and mean that only lower impact development would be able to establish in these areas. These controls will ensure that surrounding residents are not unacceptably impacted by air noise and odour. This is explained in further detail in section 3.2.2). Controls for landscaping and vegetation, including early tree planting will assist in mitigating visual impacts in these areas.

As the central areas of the industrial core of the Precinct allow for more intensive development (refer **Figure 2**), greater distance is required to the eastern and western areas to ensure suitable buffers are provided.

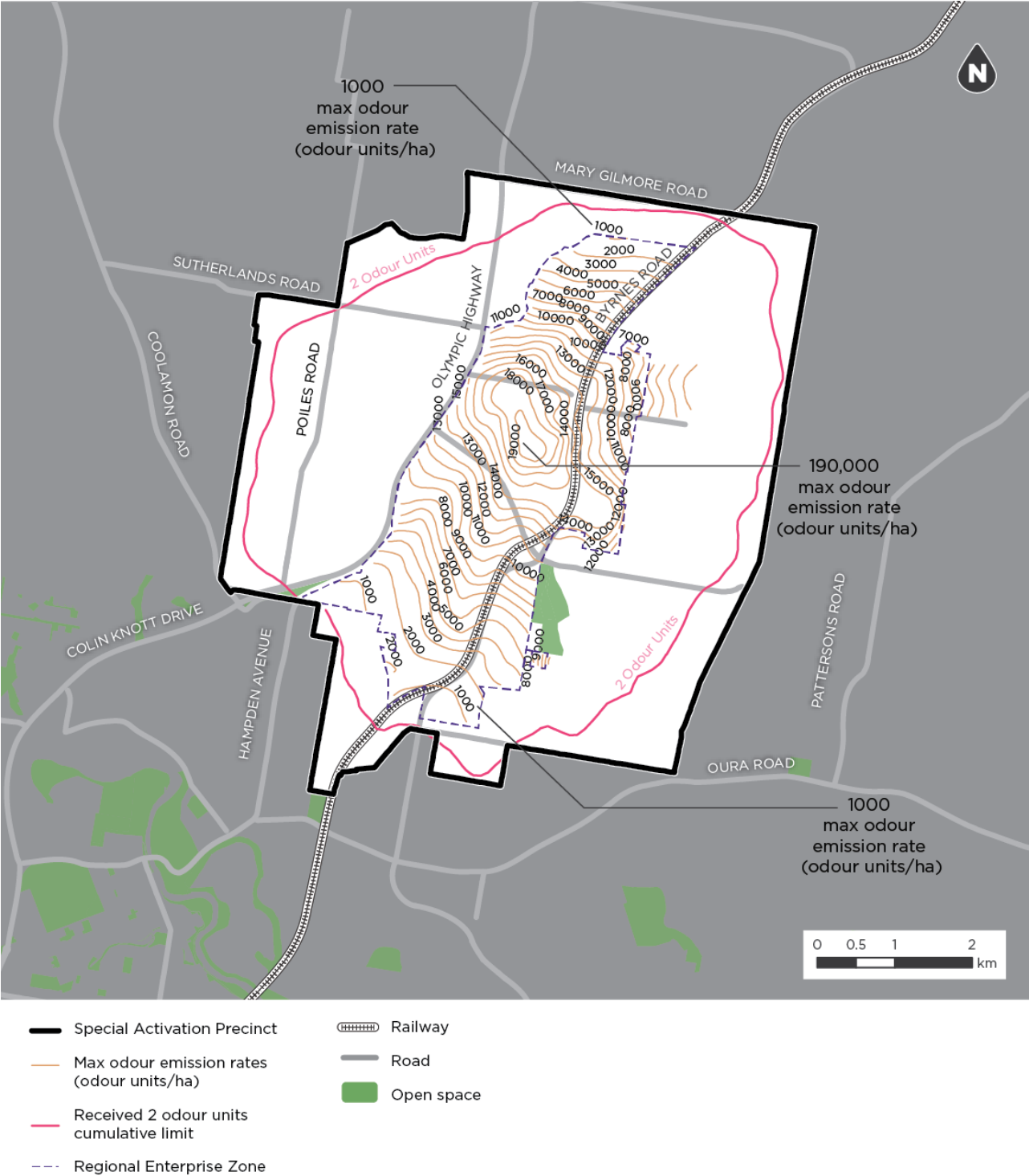


Figure 2 Odour requirements

Land uses permitted within the Regional Enterprise Zone

The uses permitted within the Regional Enterprise Zone have been determined through a long process of assessment and are informed by the technical studies. Where it has been determined that a use requires additional assessment, these uses have not been permitted as complying development (such as energy from waste and childcare facilities). The final list of land uses in Schedule 2 of the Activation Precincts SEPP reflects a similar approach taken with the Parkes Special Activation Precinct.

Extension of Regional Enterprise Zone

Further technical investigations were undertaken with regard to the site at 466 Byrnes Road that identified that the northern portion of the site (approximately 8 hectares of land) was appropriate to be rezoned to Regional Enterprise. As shown in **Figure 3**, the Regional Enterprise Zone previously extended past the northern edge of the site on the land to the east. The update to the zone results in a straight edge at this location back to Byrnes Road.

Visual analysis work determined that due to the raised topography of the land to the sites east, development on the northern portion of the site would be largely screened. This also allows for planting to occur on the southern portion of the site enabling a buffer to the Bomen Axe Quarry. The sites central location and proximity to the RiFL Hub as well as access to services and infrastructure support its inclusion within the Regional Enterprise Zone. Additional specific requirements for the site have been included in the Master Plan including a building height limit and landscaping and vegetation controls to ensure impacts from any future development is appropriately mitigated. The site specific controls for air, noise and odour provided in the Master Plan have also been updated to include criteria for this land.

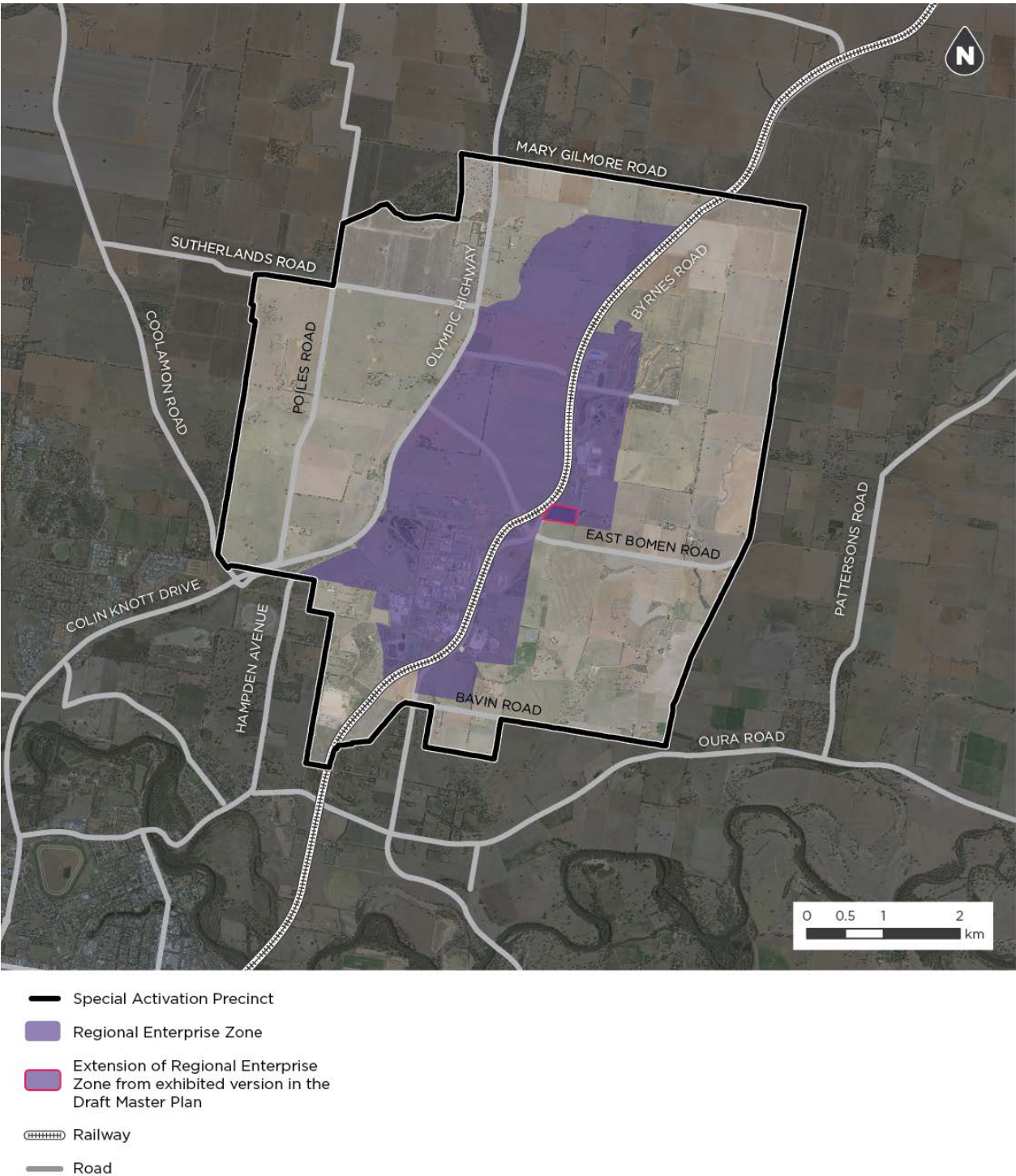


Figure 3 Additional land included in the Regional Enterprise Zone

3.1.2 Land use permissibility and extent of the Rural Activity Zone

Main issues raised in submissions

Land uses permitted within the Rural Activity Zone

- Clarification requested as to the permissible uses in the Rural Activity Zone.
- Requests that small scale solar farms in the Rural Activity Zone not be allowed as complying development and that solar development be further restricted in the Rural Activity Zone.
- Requests that a flexible approach be provided to land use permissibility in the Rural Activity Zone.
- Concerns around the limited development permitted within the Rural Activity Zone.
- Concerns that rezoning part of the former wool combing ponds site to Rural Activity is not an economically viable option for remediating and rehabilitating the land.
- Questions as to whether Wagga Wagga's housing targets are achievable if residential uses in the Precinct are prohibited.
- Requests that allowances be provided for existing farmhouses within the Rural Activity Zone to be maintained/replaced if required.

Extent of the Rural Activity Zone

- Requests that the Rural Activity Zone be extended in the south and north to provide additional buffer areas to adjoining rural and residential communities.
- Questions about the methodology for determining the extent of the Rural Activity Zone.
- Justification requested as to why the Rural Activity Zone surrounds but does not include the Mount Pleasant housing development.

Response

Land uses permitted within the Rural Activity Zone

The primary purpose of the Rural Activity Zone is to provide a buffer to the industrial core of the Precinct to prevent conflicts between land uses and unacceptable amenity impacts on surrounding residential communities. This approach protects both the community as well as the long-term viability of the Precinct. For these reasons, land uses must be appropriately restricted within the zone.

It is important that land uses permitted in the Rural Activity Zone do not impact the ability for development within the industrial core of the Precinct to operate and meet the cumulative impact requirements for air noise and odour at the Precinct's edges. It is also important that visual amenity is supported for the areas surrounding the Precinct.

The objectives of the Rural Activity Zone include protecting and enhancing the rural character of the precinct and contributing to the surrounding environment and its amenity. This and other controls will facilitate the management of cumulative impacts of solar.

The land uses permitted in the Rural Activity Zone are more restrictive than the current zoning allows for and will provide greater certainty in terms of preventing land use conflicts for adjoining land, including the Northern Growth Area.

Rural industry, a use which includes things like livestock processing, is not a permitted land use within the Rural Activity Zone. This use was listed in error as both permitted and prohibited in the Discussion Paper.

In response to submissions, some additional uses have been permitted within the Rural Activity Zone as they have been determined to be aligned with the Precinct's objectives, particularly the objective of supporting agricultural and rural uses. These uses include animal boarding and training establishments, intensive plant agriculture and aquaculture. These, and all other developments in the Rural Activity Zone, will need to be low

impact and demonstrate an ability to meet the requirements of the cumulative measures set for the precinct for air noise and odour. Allowing these uses will mean that low impact forms of these types of rural developments will not be excluded from the precinct unnecessarily.

In order to support and encourage the rehabilitation of the former wool combing ponds site (shown on **Figure 4**), a number of additional uses have been permitted on this land. These uses include light and general industrial uses. Additional specific requirements for the site have been included in the Master Plan including a building height limit and landscaping and vegetation controls to ensure impacts from any future development is appropriately mitigated. The site specific controls for air, noise and odour provided in the Master Plan have also been updated to include criteria for this land.

Council's draft Local Strategic Planning Statement (LSPS) has identified that there is sufficient land to accommodate the projected population growth when taking into account the Precinct and the Rural Activity Zone. Council have determined that current zoned land and vacant lots can accommodate up to 2,600 additional dwellings and the proposed northern growth area can accommodate up to 6,000 dwellings. This will provide 25 years of housing supply and growth to close to 90,000 people. Urban infill and renewal will facilitate an additional 10,000 dwellings.

Exempt and complying provisions from the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* for residential developments will continue to apply under the Activation Precincts SEPP allowing existing farmhouses to be maintained and modified in a streamlined manner. Existing use rights will also apply to these homes.

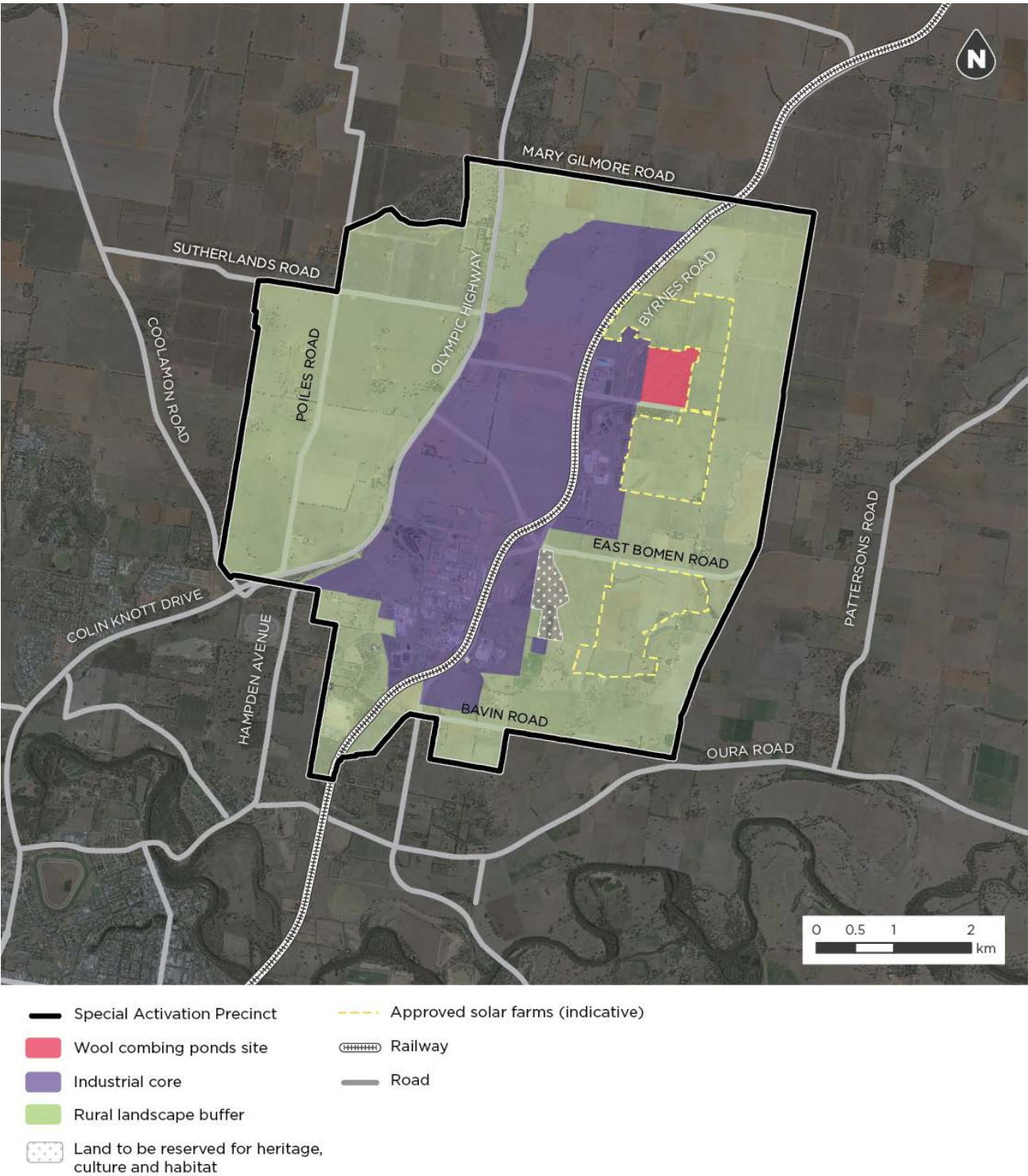


Figure 4 **Location of the wool combing ponds site**

Extent of the Rural Activity Zone

The Rural Activity Zone is wider in some locations than others but in all instances provides a suitable level of buffer relative to the intensity of development. This is discussed in further detail in section 3.2.1.

The Precinct boundary has been amended to exclude the land to the north west of Mount Pleasant that was proposed to be zoned Rural Activity (see **Figure 6**). This land was initially included to avoid the split zoning of a large lot (part of which is located within the cumulative air noise and odour buffer area) however, in response to the submissions received it has been determined that this land should be excluded from the Precinct as:

- the land is located below the ridge line providing visual separation from the Precinct; and
- the land falls outside of the cumulative buffer area as well as the area identified by Todoroski Air Sciences as recommended for no further residential intensification (see **Figure 5** below).

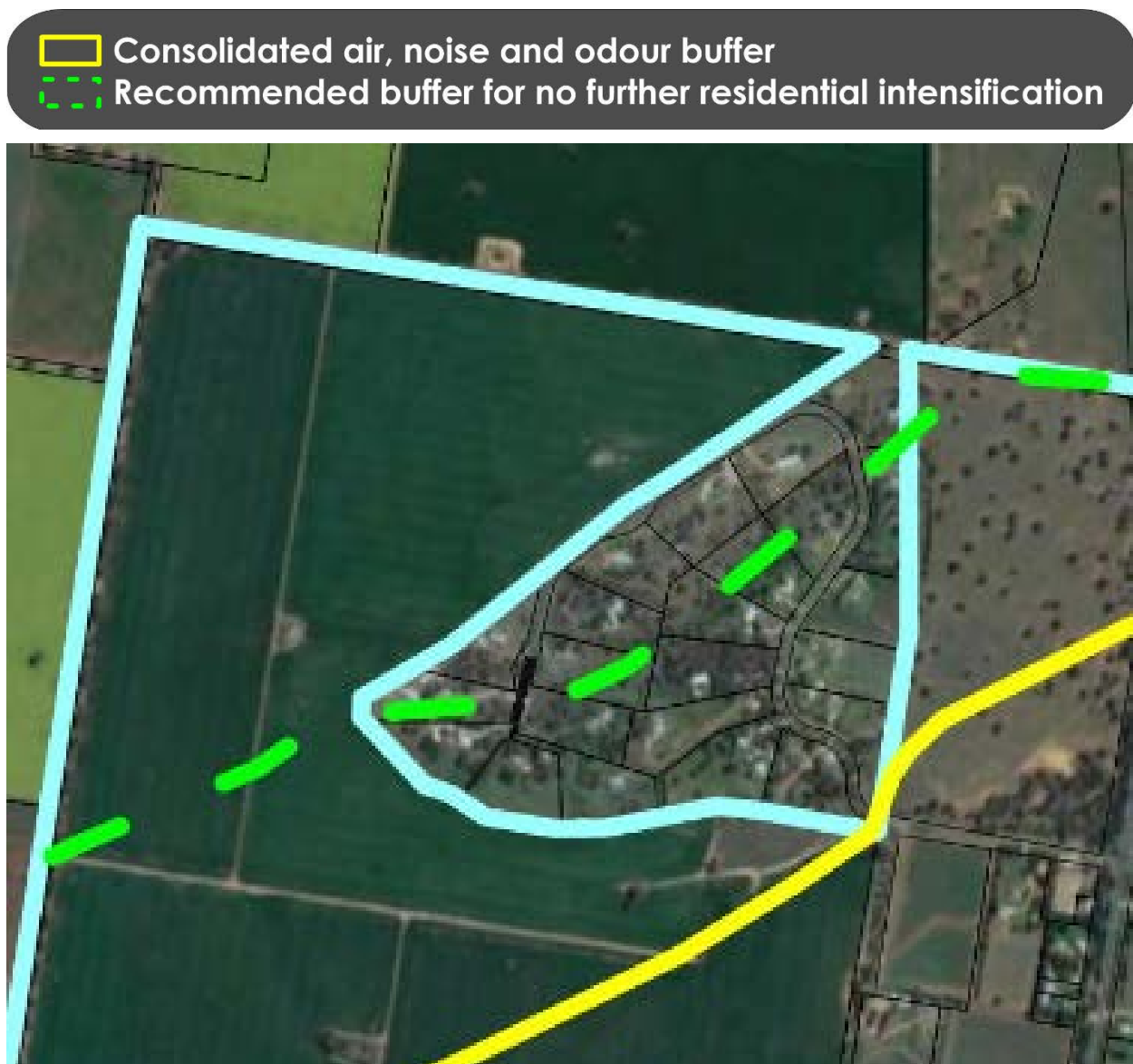


Figure 5 Recommended buffer for no further residential development (Todoroski Air Sciences)



Figure 6 Updated Precinct boundary

3.1.3 Permissibility of solar

Key issues raised in submissions

Location and scale of solar

- General support for solar energy farms, however location is of concern in the Rural Activity Zone.
- Concerns about the development of solar farms on sloping land and near roads in terms of visual impacts and glare (safety).
- Requests that the Regional Enterprise Zone be prioritised for higher employment generating uses than solar farms.
- Questions around the need for the size of area of land in the Rural Activity Zone for solar in terms of the energy needs of the Precinct.
- Concerns that 35-hectare solar farms are in excess of the requirements to support the Precinct and are not small in scale.
- Concerns that 35-hectare solar farms would limit commercial appeal.

Biodiversity impacts

- Concerns that permitting solar in the Rural Activity Zone would threaten trees.

Response

Location and scale of solar

The current zoning of the land for the vast majority of the Precinct permits solar energy farms at any scale. Under the new planning framework, a more considered approach has been taken to solar development. The Master Plan and Activation Precincts SEPP recognise that solar energy generating facilities will be an important part of the Wagga Wagga Special Activation Precinct's green energy strategy while also recognising the need to ensure that any potential new solar energy generating facilities are appropriately located and developed. This is supported by controls in the Rural Activity Zone, as set out in the Master Plan.

Additional requirements, including for early tree planting and landscape buffer treatments to the boundaries of any new solar energy farms, have been adopted in the final plan that will further support mitigation of visual impacts. The extent of land where small scale solar energy farms will be permitted in the Rural Activity Zone has also been reduced from the area exhibited in the draft Master Plan following additional visual analysis work (refer **Figure 7**). It is important to note that site constraints such as topography, riparian corridors and the presence of significant biodiversity will also restrict where solar energy farms can be located.

There are a number of approaches identified in the Renewable Energy Opportunities and Constraints Assessment report (WSP, 2020) for the precinct to achieve energy self-sufficiency, including through the establishment of new solar energy farms in the Rural Activity Zone. It is important that each of the options available are provided for and supported through the planning framework to ensure the Precinct has the ability to meet this important target in the future.

Securing energy output for the Precinct's purposes from existing solar energy farms is something that will be pursued as a priority however it is ultimately a commercial decision that is subject to agreement from other parties.

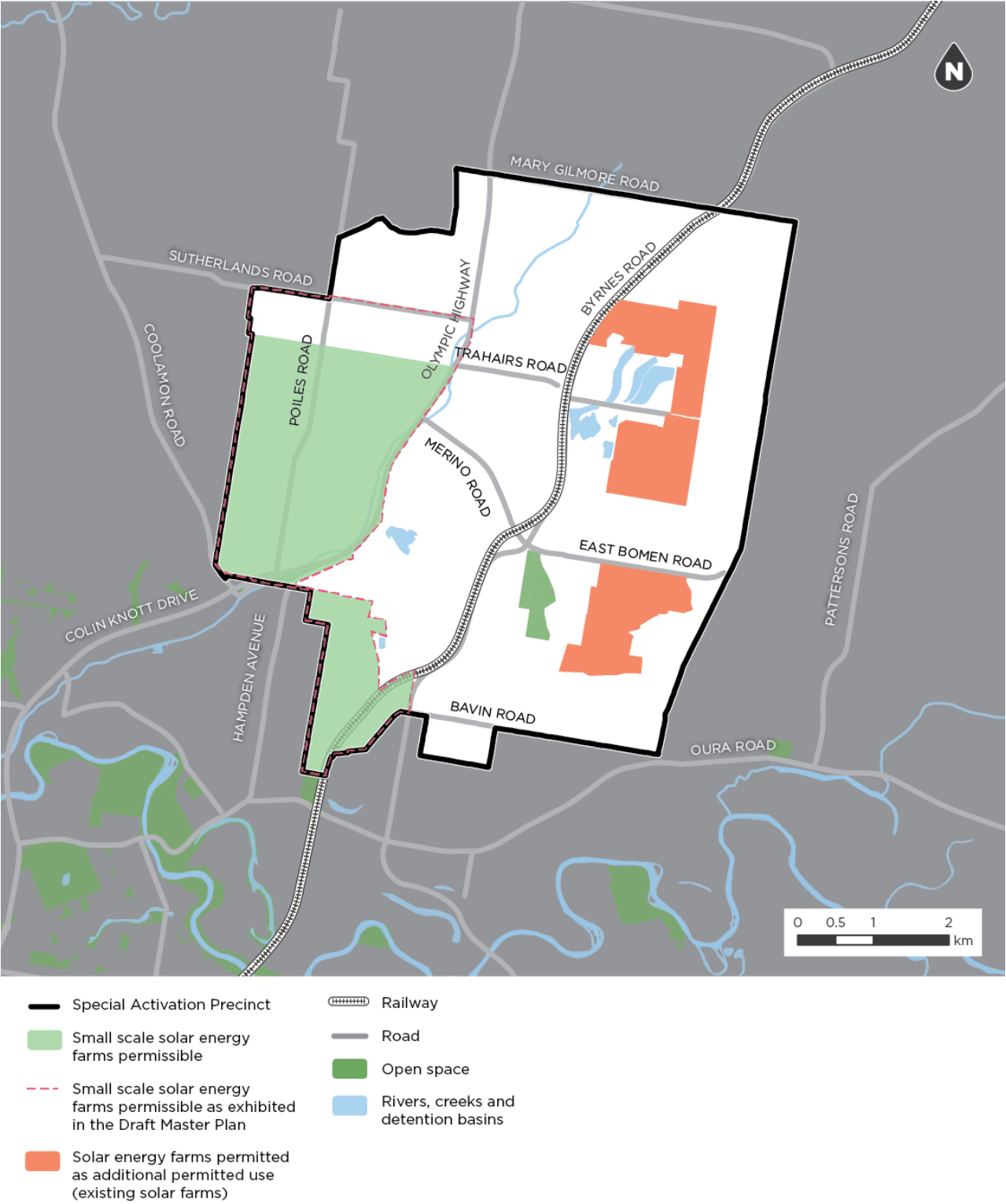


Figure 7 New extent of where small scale solar will be permitted within the Rural Activity Zone

Biodiversity impacts

The Master Plan sets out clear requirements for the protection of high value trees. Any new solar energy farm development would need to adhere to these requirements. Protection and enhancement of biodiversity are central to the Master Plan's aims.

3.1.4 Land use permissibility in the E2 Zone

Key issues raised in submissions

- Requests that some land uses be prohibited in the Environmental Conservation Zone to support the protection of the Bomen Axe Quarry.

Response

The following has been determined with regard to the requests for changes to land uses in the E2 Zone:

- Community facilities, information and education facilities recreation areas and roads - The Bomen Axe Quarry is a place of cultural, spiritual and historical significance to the Wiradjuri Aboriginal people of the Wagga Wagga area. It is important that the Bomen Axe Quarry be available to the Wiradjuri nation and broader community for cultural purposes, education, tourism and for the celebration of indigenous heritage. Community, information and education facilities, recreation areas and roads support this. Any development at the site will need to demonstrate that it will not impact cultural values.
- Recreation facilities (outdoor), extensive agriculture, farm buildings, home-based childcare, home businesses, home occupations and signage – These uses were carried over from the Wagga Wagga Local Environment Plan 2010 (Wagga LEP) and the Department agree that it is appropriate to prohibit them in the context of the Bomen Axe Quarry.
- Oyster aquaculture – This use is a required permitted use in the E2 Environmental Conservation Zone as per the Standard Instrument.
- Sewerage systems, water supply systems - All sub land uses under the group terms 'sewerage systems' and 'water supply systems' were listed as prohibited in the Discussion Paper. The Department agrees that these group terms should also be prohibited however has determined that sewage reticulation systems and water reticulation systems should be permitted. These uses may be required to support the use of this land by the community

3.1.5 SP2 zoned land

Key issues raised in submissions

- Requests that that some sites within the Precinct be retained as, or re-zoned to, SP2 Infrastructure.

Response

Changes have been made as requested to reflect the operations and infrastructure at certain sites. Additional land including disconnected rail sidings and an unmade road have also been rezoned to Regional Enterprise and Rural Activity in consultation with Council and Transport for NSW. Changes from what was proposed in the draft Master Plan are shown on **Figure 8**.

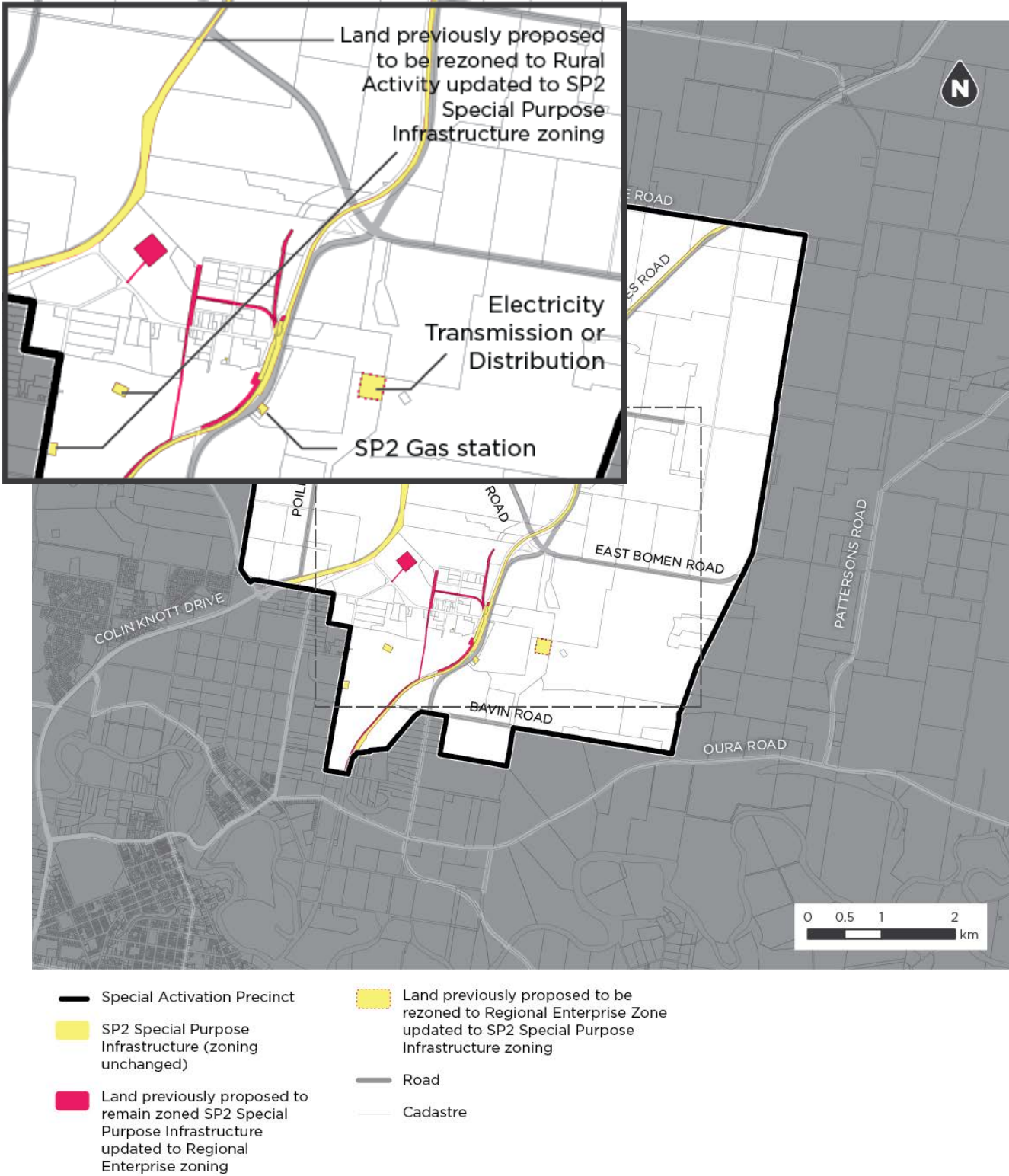


Figure 8 Changes to SP2 zoning from what was proposed in the draft Master Plan

3.1.6 Certainty around types of future development

Key issues raised in submissions

- Concern about the lack of certainty around the types of businesses that would develop in the Precinct, particularly as consultation on specific development applications will not occur as part of the Activation Precinct Certificate process.

Response

The Activation Precincts SEPP states that an Activation Precinct Certificate for development can only be issued if in the opinion of the issuing authority, the development is consistent with the SEPP, Master Plan and Delivery Plan. This will ensure that development is consistent with Vision of the Special Activation Precinct and the relevant performance criteria outlined in the Master Plan and Delivery Plan.

The Land Use table which is included in the Activation Precincts SEPP (a draft of which was included in the Discussion Paper) reflects the approach to land uses that currently exists under the Wagga Wagga LEP. It is not possible to determine which of the different uses that are permitted will establish in the Precinct. This will be determined when proponent's approach the Development Corporation to apply for an Activation Precinct Certificate.

The Master Plan provides further details of the land uses proposed to be permitted and the Activation Precinct's SEPP details the approval pathways for these permitted uses.

Any industry that does not comply with the Activation Precinct's SEPP, Master Plan or Delivery Plan will not gain approval under the Activation Precincts SEPP. Development that does not meet the complying development provisions in the Activation Precinct SEPP will have to obtain a development application under Part 4 of the Environmental Planning and Assessment Act (EP&A Act).

3.1.7 Structure plan decision making process

Key issues raised in submissions

- Concerns with the process used to determine the preferred structure plan and whether the process was fair and balanced.
- Questions as to whether appropriate consideration has been given to existing local planning documents and alignment between relevant government agencies and key government strategies.

Response

During the development of the Master Plan, the Department, Council, Transport for NSW and a range of other relevant stakeholders have worked together to ensure alignment between relevant strategies, including with other government agencies that formed the PCG (refer to page 5). The Department and Development Corporation will continue to work with these other stakeholders into the Precinct's future.

Several spatial planning options were developed and evaluated to inform the Structure Plan. The process for developing the structure plan included the technical evaluation of planning options for matters such as environmental impacts and benefits, transport opportunities, infrastructure capabilities, stormwater, economic viability and many others.

To achieve integrated and balanced planning outcomes, all technical evidence and technical specialists worked together at a series of design workshops including a major workshop in September 2019 held in Wagga Wagga. At this workshop the preferred structure plan was identified and refined, with elements of several early options evolving into the final plan. Key stakeholders and community representatives were involved in providing feedback as part of this process.

The final structure plan provides an optimum, balanced planning outcome for a number of key reasons that include:

- It accommodates industry and employment land supply for the long term (40+ years).
- It provides good access to existing infrastructure including the Olympic Highway and rail connections.
- It avoids areas of environmental importance such as important groundwater areas in the east.
- It provides a strong landscape buffer and a separation of industry uses is achieved from residential communities.
- A strongly defined edge is provided along the Olympic Highway for the industrial core, avoiding the fragmenting of rural lands to the west of the highway, and separating the Precinct's industry areas from Wagga's future northern growth areas beyond. Large scale residential encroachment would undermine the ability for the employment and industry objectives of the Precinct to be fully realised, and so the Rural Activity Zone extends to the ridgeline west of Poiles Road to minimise this risk.
- Direct impacts on Dukes Creek are minimised as the Regional Enterprise Zone does not straddle this riparian corridor.
- The north-south alignment of the industry areas supports the provision of infrastructure from south to north over time, with the topography and landform also supporting the Precinct objectives to carefully manage noise, odour and air emissions buffer needs.

The planning for the Precinct has been informed by a range of specifically commissioned technical studies and reflects a range of changes that have occurred over time, which includes the announcement of Inland Rail and decisions with regard to road corridor locations.

3.2 Theme: Environment and amenity

3.2.1 Visual amenity

Key issues raised in submissions

- Concerns around potential visual impacts, many of which related to future industrial development and solar energy farms.

Visual Analysis Report

- General support for the adoption of recommendations in the Visual Analysis report (Jenson, 2020), early tree planting and restricting the extent of land where small-scale solar energy farms would be permitted.
- Concerns that visual impacts from lighting or luminous glow had not been assessed as part of the Visual Analysis.
- Concerns about the accuracy and appropriateness of viewpoints in the Visual Analysis report.

Solar

- Concerns around visual impacts as a result of the potential development of solar energy farms in the western parts of the Rural Activity Zone related to things like location and glare.

Rezoning of land north of Trahairs Road

- Concerns that the relocation of industrial / employment zoned land from the west of the precinct to the north would serve to expose a greater number of residents to visual impacts than under the current zoning.

Response

The importance of providing visual amenity has been a key consideration in planning for the Precinct. This is recognised by the establishment of the new Rural Activity Zone, a primary objective of which is to serve as an amenity buffer to the industrial core of the Precinct. Fewer, and only lower impact land uses will be permitted in this zone than under the current planning controls. This decreases the potential for future visual impacts. Notably, the development of solar energy farms within this zone will be more restricted and considered than under existing planning controls.

Visual Analysis Report

To further mitigate visual impacts, a range of new controls have been incorporated into the Master Plan in line with the recommendations of the Visual Analysis report and feedback received during exhibition. These include controls mandating early tree planting in key locations and a requirement for the Delivery Plan to provide directions for colour and building material selections that support the minimisation of visual impacts.

Detailed requirements for lighting will be provided in the Delivery Plan. The Master Plan requires that best practice approaches to lighting be encouraged through the Delivery Plan. Further, it is proposed that the conditions for development consent (which are currently being prepared) require that all developments adhere to the Australian Standards established for Lighting.

The Visual Analysis report was prepared to assess a development scenario at a Structure Plan level and not a detailed design proposal as the latter is not possible at this stage. A 3D digital model was identified to be the best technique at this high level to illustrate indicative layouts for buildings, roads, vegetation and the like based on assumptions about what may typically occur with this type of development.

Using topographical plans, a range of viewpoints were selected that represented different types of views from different locations. It wasn't possible to test every location from which the Precinct could be seen. The intention was to select a variety of views from which to test the proposed mitigation techniques. The

recommendations of the report are applicable if the location of the viewer changes slightly along the street or on that property.

It is acknowledged that the Precinct as proposed will change views, particularly from those properties located close to the Precinct or that sit at an elevated location. It should be noted however that under the current planning controls for the land within the Precinct, this would also be the case. It is also important to note that the Special Activation Precinct will play a significant role in supporting employment in the Region. The strategic importance of the Special Activation Precinct and the need for it to extend to the north of Trahairs Road are discussed in further detail in section 3.1.1.

The role of the Master Plan is to provide Precinct wide controls based on the Structure Plan. Furthermore detailed controls and strategies for managing and mitigating visual impacts will be provided in the Delivery Plan, the purpose of which is to provide more site specific information. Once prepared, the draft Delivery Plan will be exhibited for a period of 28 days (minimum) and the community will have an opportunity to provide their feedback before it is finalised.

Solar

Currently, solar energy farms are permitted at any scale across a majority of the Precinct. The Master Plan recognises that solar energy farms will be an important part of the Wagga Wagga Special Activation Precinct's green energy strategy while also recognising the need to ensure that any potential new solar energy farms are appropriately located. For this reason, the areas where solar energy farms are permitted within the Precinct has been restricted. The area where small scale solar energy farms will be permitted in the Rural Activity Zone has been further restricted following the findings of the Visual Analysis report (refer **Figure 7**). In addition, a range of new controls specifically targeted at managing and mitigating the visual impacts of any new solar energy farms have been added to the Master Plan. These include requirements for planting on private land at the permitter of any new solar farms and requirements around the maximum slope of land where solar farms can be built.

Rezoning of land north of Trahairs Road

It is acknowledged that the rezoning of land to the north of Trahairs Road will change views in the surrounding areas. The importance of the rezoning of this land is outlined in section 3.1.1. A range of mitigation strategies have been incorporated into the Master Plan to minimise these impacts as outlined above under Visual Analysis Report. This includes a requirement for early tree planting to occur along Dukes Creek and corridor greening along Mary Gilmore Road and the Olympic Highway.

3.2.2 Air, noise and odour

Key issues raised in submissions

Existing conditions

- Concerns that current noise and odour impacts will increase as more development establishes in the Precinct, however also some disagreement with this.
- Concerns that the modelling did not include monitoring from existing dwellings.

Health impacts

- Concerns about the potential health impacts related to emissions from the Precinct, especially to the north of Trahairs Road.

Air, Noise and Odour study

- Concerns that three existing dwellings appear to be missing in the modelling within the south and west of the Precinct.

- Requests for clarification around what land the modelling applied to and/or considered.
- Concern with the complexities involved in measuring and independently monitoring odour.
- Concerns that noise, odour and air quality impacts from the train line and roads (in particular the Olympic Highway) were not included in the modelling.
- Concerns that prevailing wind directions were not reflected in the modelling.

Implications for existing businesses

- Request for clarification as to how the new mitigation and management measures, and monitoring and reporting process for noise, air quality and odour will apply to existing uses.

Complaint resolution processes and mitigation measures

- Clear guidelines were requested on how and who to report noise and odour complaints to and clarity around what recourse is available to landholders who experience noise or odour at an excessive level.
- Requests that mitigation measures such as double glazing be provided by the State government to residences in and around the Precinct.

Response

The approach to establishing air, noise and odour requirements for development within the Precinct involved creating site specific controls for land within the Regional Enterprise Zone as well as a cumulative precinct performance measure (or required buffer area) – which directly informed the Precinct boundary. This approach provides certainty, avoids individual modelling for each proposal and will aid in monitoring noise and emissions. Importantly, it accounts for cumulative impacts of development over time and ensures that there is no impact ‘creep’, something that is often found with piece meal industrial development. The controls put in place for the Precinct are in line with accepted standards and in some instances, employ a more conservative approach than would apply under existing requirements. These controls were developed through a rigorous modelling methodology which was reviewed and approved by the EPA.

The controls for air, noise and odour require that higher impact development be concentrated at the centre of the precinct (to the south of Trahairs Road). This is demonstrated on **Figure 2** which shows the difference between the controls at the centre of the Precinct when compared to the northern and southern extents.

As demonstrated by the modelling, this will ensure that sensitive uses at the periphery of the Precinct are protected from unacceptable impacts. Uses that cannot meet the tighter controls for air, noise and odour at the Precincts northern and southern extents, will not be able to establish in these locations.

Existing conditions

It is noted that there may already be residences that are near to criteria due to existing nearby industries, as outlined in Section 3 of the Air, Noise and Odour report (Todoroski, 2020) which describes the existing environmental conditions. The air quality and noise monitoring data from various locations in and around the SAP were analysed and were consistent with expectations in close proximity to an industrial area, when considering the local environment and proximity to sources.

Specific baseline monitoring is not a crucial input to the design of the proposed industrial core and is not typically gathered when sufficient existing data is available, or when it does not alter the criteria that must be set (as in this case).

The modelling of the future development within the Precinct requires the relevant NSW EPA impact assessment criteria for noise and air quality to be met at the boundary (and beyond). The development of the controls in the Master Plan seek to ensure the future industrial uses can operate without causing increased impacts by setting a specific allotment of air, noise and odour emissions for each parcel of land. Existing and new operations within the SAP will need to adhere to their allotment for air, noise and odour emissions. This approach enables operators and regulators to conduct at-site compliance monitoring (which

is simple, cost effective and conclusive for managing a single facility) and also monitoring at receptors to track trends in the baseline level, and ensure cumulative levels are also met.

Health impacts

The Delivery Plan for the Precinct will outline mitigation and management measures for new developments as well as a framework for monitoring and reporting on air, noise and odour from development against the relevant criteria. To provide the community with greater certainty around this process, a new control has been added to the Master Plan that sets out requirements for monitoring facilities including their early establishment (as part of the enabling works) and minimum requirements for monitoring based on the recommendations of the air, noise and odour report.

Air, Noise and Odour study

The complexities of measuring odour are acknowledged. The recommendations for measuring impacts are set out in the Air, Noise and Odour Assessment report (Todoroski, 2020), including measuring odour as an average over the day and measuring noise from the outside rather the inside of a home, are accepted standard practice.

Figure D-1 of the Air Noise and Odour Assessment report has been updated to show the missing dwellings. These dwellings have been accounted for in the modelling presented in the report and so there are no implications for the findings.

The initial investigation area for the Precinct is shown on Figure 2-1 (page 2) of the Air, Noise and Odour Assessment report. This was the initial area selected for the investigation used in the concept scenario testing. Through concept scenario analysis and consideration of other constraints for the Precinct, a final layout and boundary were developed. The final chapters of the Air, Noise and Odour Assessment report (Chapter 7 onwards) assess the final boundary and consider the existing residential dwellings surrounding the Precinct and the ability of the industries to meet relevant air, noise and odour requirements at these locations.

Industrial movement and handling of freight has been accounted for within the modelling for the Precinct as part of the different industrial uses and the RIFL, however the movement of vehicles (such as via rail or road) into and out of the Precinct are not specifically included. The movement of vehicles into and out of the Precinct are assessed differently to the industrial sources under different guidelines. There are no noise criteria that apply to the cumulative noise from industrial sources and highways and rail lines. This is because people can generally tell which noise is from a highway, vs. railway, vs. industry, and the specific criteria developed for each source can apply.

Submissions detailing concerns with regard to the prevailing winds identified in the report were found to have misinterpreted the information provided. The annual and seasonal windroses presented in Figure 3-2 of the Air, Noise and Odour report (Todoroski, 2020) include data collected over all hours for a three year period (2016-2018). The windroses present the distributed frequency of winds for the overall period and seasonally. It is correct that wind directions do vary at different times of the day and at different locations and this will be different to the distribution overall of all hours as presented in Figure 3-2 of the report. This is factored into the modelling.

Implications for existing businesses

The existing industrial uses within the Precinct are accounted for in the development of the air, noise and odour controls in the Master Plan. The emissions from the existing industrial uses were factored in based on information from various sources including environmental assessments, pollution reduction programs, etc. An additional allowance of approximately 10% more emissions of air, noise and odour for the each of the existing industrial uses were included in the modelling to allow for the existing industrial uses to continue to operate within the borders of the Precinct without any detriment and to allow opportunities to expand operations.

A savings and transitions provision has been included in the Activation Precincts SEPP for development where a development application has been lodged but not yet determined. This allows for those developments to be determined as per the controls that were in force at the time the development application was lodged.

Existing use rights will prevail for existing development consents and modifications under section 4.55 of the EP&A Act can still be sought, provided the use is permissible.

Alternatively, proponents can choose to seek a new development consent under the Activation Precinct SEPP.

Complaint resolution processes and mitigation measures

People can report air, noise and odour incidents to the EPA through the EPA Environment Line (131 555) or emailing info@epa.nsw.gov.au. Detailed guidance around how to report issues is provided on the EPA's website www.epa.nsw.gov.au. People can also report issues to Council.

Development cannot unacceptably impact sensitive receptors such as people in their homes. If it is determined that a proposed new development would unacceptably impact a sensitive receptor, the proponent may offer to provide suitable levels of mitigation (based on EPA developed / other requirements) to the affected home such as double glazed windows. This approach would need to be agreed to by the impacted landowner. If the landowner does not agree to the proposed mitigation measures, the development must reduce its impacts to an acceptable level in order to proceed.

3.2.3 Landscaping and vegetation

Key issues raised in submissions

Approach to tree planting

- Support for the Visual Analysis report recommendations around tree planting.
- Clarity was requested around how tree planting would be managed, the timing of planting, and how it would be funded.
- Assistance with tree planting on private lots was requested and clarification as to whether private land identified for tree planting, such as along Dukes Creek and its tributaries, would be acquired.
- Requests for clarification as to the consultation process for the types of trees that would be planted.
- Requests that planting occur along the ridge lines rather than on low lying land for better visual mitigation.
- Requests that more areas for planting be designated to support greater levels of absorption of noise and odour and reduce impacts on residents.

Figure error

- One submission noted that Figure 7 was incorrect in indicating an area for rural road greening to the south of the northern existing solar farm. The submission noted that the area is not a public road.

Response

Approach to tree planting

Significant areas of land within the Precinct are identified for tree planting. A large number of existing trees have also been identified for protection. A number of new controls have been included in the Master Plan incorporating the recommendations of the Visual Analysis report and responding to feedback (refer to pages 6 and 7 in the Visual Analysis report). The controls in the Master Plan also encourage and set requirements

around planting along ridgeline areas as well as in more low-lying areas where appropriate to screen development.

The Master Plan also requires that a landscaping and vegetation strategy be developed as part of the Delivery Plan. This plan will outline requirements for ongoing management and ongoing maintenance of landscaping and vegetation. The Delivery Plan will be exhibited, and the community will have the opportunity to provide further feedback.

The areas identified for further tree planting have been determined based on an analysis of locations that would serve to provide the greatest contribution to both amenity and biodiversity. It is acknowledged that some of the land identified for planting is located within private properties. The State government will work with private landowners to determine the best approach for this planting to occur.

Figure error

Figure 7 of the Master Plan has been updated to reflect the area to the south of the northern existing solar farm for 'boundary planting'.

3.2.4 Biodiversity

Key issues raised in submissions

Development impact

- Concerns around impacts future development in the Rural Activity Zone, particularly small scale solar farms, may have on biodiversity.

Fauna

- Concerns about specific species located within the Precinct such as the Eastern Long Neck Turtle
- Requests for further detail around how native fauna will be protected and what further work will be done prior to development to assess impacts to wildlife.
- The Department of Primary Industries noted the importance of ensuring the conservation of fish and fish habitat and requested consideration of Key Fish Habitat mapping in the Master Plan. They also noted support for the current Wagga Wagga LEP 2010 provisions of Clause 7.5 Riparian lands and waterways.

Flora

- Requests that investment for tree planting be directed to high quality areas away from land where there is a risk of destruction such as road verges where roads may be widened in the future.
- Request that important trees be marked for preservation with a number of people raising concerns around unavoidable tree removal for the purposes of infrastructure.

Bio-certification

- The Department of Environment, Energy and Science (EES) noted that the Wagga Wagga Local Environmental Plan 2010 is biodiversity certified under the Threatened Species Conservation Act 1995 and that once the update to the Activation Precincts SEPP is finalised, the certification will no longer apply. EES stated they would welcome the opportunity to discuss the benefits of including the Precinct area in a new biodiversity certification.

Response

Development impact

An Environmentally Sensitive Areas Map (ESA Map) for the Precinct informed by the technical studies is provided in Schedule 2 of the Activation Precincts SEPP. This map identifies which locations are suitable for

low impact exempt or complying development and which areas require a site-specific development application. Areas of high ecological value, key fish habitats and regulated lands (under the *Local Land Services Act 2013*), aboriginal and European heritage are mapped on the ESA and exempt or complying development will not be able to occur at these locations. This environmental impact assessment framework continues to protect the areas certified under the Threatened Species Conservation Act 1995 and is consistent with the NSW Biodiversity Conservation Act 2017. In addition, controls within the Master Plan have been developed to address Commonwealth obligations under the Environment Protection and Biodiversity Conservation Act 1999. Critical infrastructure is not subject to this approach as occasionally it is determined that the location of things like roads, the orderly delivery of which are vital to supporting the Precinct's functions, cannot practically be established to avoid certain areas. Works under Part 5 of the EP&A Act are also not subject to this approach as they will go through a detailed development assessment process. The Master Plan includes a requirement that the Delivery Plan outline how offsets for Part 5 development will be managed.

Fauna

The studies undertaken to inform the Master Plan and Activation Precincts SEPP update included constraints mapping and identification of important habitat within the Precinct, such as important riparian areas, intact native vegetation, vegetation corridor/connectivity links etc. The Delivery Plan will incorporate more specific mitigation measures (e.g. habitat retention, enhancement, alleviation of potential fauna vehicle strike etc) that are associated with native species - including the Eastern Long Necked Turtle - that may be potentially affected.

Areas of Key Fish Habitat within the Precinct (associated with Dukes Creek) will have appropriate, improved protections under the Master Plan and Activation Precincts SEPP through requirements for riparian buffers and storm water and surface water quality controls as well as through inclusion in the ESA map. The Master Plan includes similar provisions to those set out in Clause 7.5 Riparian lands and waterways of the Wagga Wagga LEP.

Flora

Planting along road corridors is important from both a biodiversity corridor and visual impact mitigation perspective. The landscaping and vegetation plan to be developed as part of the Delivery Plan will ensure that strategies for planting along road reserves take into consideration future road widening.

Bio-certification

Bio-certification will occur at the next stage of the project, led by the Development Corporation, as it can only be assessed once the development footprint and impact are known. The upfront survey information and assessment prepared as part of the Department's work will enable the Development Corporation to work with ESS and Council to pursue bio-certification for the Precinct. This approach provides maximum flexibility to achieve the landscape and biodiversity objectives of the Master Plan and Delivery Plan.

3.2.5 Sustainability

Key issues raised in submissions

Sustainability was noted in submissions as being important and support was provided for the Precinct's focus in this area.

In their submission, Sustainability Advantage recommended the following improvements to the approach to sustainability for the Precinct:

- additional detail around the United Nations Sustainable Development Goals;
- information on the NSW Government 20-year Waste Strategy and a circular target for the precinct;
- use of net zero language; and

- expansion of the supporting provisions to be developed as part of the Delivery Plan.

Response

References to the United Nations Sustainable Development Goals (SDG) and the Governments 20 Year Waste Strategy have been added to the Master Plan. Language in the Master Plan has also been updated to reflect a Net Zero approach.

A circular economy framework is currently being prepared by the Development Corporation for the Precinct which will include targets.

A number of additional provisions to be developed as part of the Delivery Plan have been included in the Master Plan. These include requirements for guidance for businesses on how to meet Eco-Industrial precinct standards and achieve net zero emissions targets, consideration of targets for waste and material use/reuse, consideration of climate resilience and management, consideration of the adoption of a virtual power plant model and consideration of the appointment of a Circular Economy Concierge. The principles for the Precinct have also been updated to include references to managing climate risks.

3.2.6 Stormwater, groundwater, water supply and water quality

Key issues raised in submissions

Impacts on the quantity of stormwater runoff

- Requests for further information around the impacts on the quantity of stormwater runoff.

Use and protection of groundwater

- Requests for clarification on the plan for using groundwater related to and aquifers under the proposed footprint of the Precinct.

Water quality management

- Concerns around impacts on water quality, how water quality will be monitored and requests for clarification about the proposed stormwater quality management approach.
- Request that water sensitive urban design principles in the management of water quality and efficiency be included in plans for the Precinct.

Gobbagombalin Lagoon

- Requests for clarification on impacts to the Gobbagombalin Lagoon, a Groundwater Dependant Ecosystem (GDE) located outside of the Precinct.

Dukes Creek rehabilitation

- Request to remediate Dukes Creek to a natural water course outside of the Precinct.

Groundwater Protection Zone

- Concerns that the total Groundwater Protection Zone area shown in the south of the Precinct in the Master Plan was not indicated in Figure 5.1 of the supporting hydrogeology study.

Response

Impacts on the quantity of stormwater runoff

The controls for flooding and stormwater contained in the Master Plan have been prepared to ensure local catchment flows, including those to the Gobbagombalin Lagoon, will be maintained. In addition to the

controls included in the Master Plan, further work will be undertaken as part of the Delivery Plan to maintain environmental flows to Dukes Creek (and as a consequence, Gobbagombalin Lagoon). This work is best carried out at a stage where further detail is known about development siting. The Delivery Plan will include site based performance provisions for flooding and stormwater.

Use and protection of groundwater

There are a range of controls that have been included in the Master Plan to protect groundwater in the area. These controls, including new controls for monitoring of groundwater quality and levels, are sufficient to protect the highly productive groundwater resources and GDE's both within and outside of the Precinct, including Gobbagombalin Lagoon.

Groundwater extraction from, and impacts to, water sources under the proposed footprint of the Precinct is regulated by WaterNSW, Department of Planning, Industry and Environment (Water division) and the Natural Resources Access Regulator. This existing framework for managing the groundwater resources will continue moving forward.

Water quality management approach

The controls in the Master Plan, such as the requirements that the ecological condition of waterbodies be maintained and improved, that a neutral or beneficial effect on water quality be achieved and restrictions on uses in the important Groundwater Protection Zone, will ensure that water quality is protected within and surrounding the Precinct.

Initially, the assessment conducted as part of the flooding and water quality technical study adopted a pollutant reduction target approach. In consultation with the EPA, this approach was determined to be fit for purpose through the Enquiry-by-Design process. In preparing the Master Plan, an alternative method known as Neutral or Beneficial Effects (NorBE) was identified as being more suitable because it has the potential to achieve a similar or better outcome with respect to water quality. Both approaches seek to achieve a sustainable water quality outcome for the Precinct.

Furthermore, a new requirement has been included in the Master Plan for the incorporation of water sensitive urban design principals.

Gobbagombalin Lagoon

As outlined above, the planning controls in the Precinct have been developed to sufficiently protect not just Gobbagombalin Lagoon, but all GDE's within and surrounding the Precinct.

Dukes Creek rehabilitation

Dukes Creek is proposed to be rehabilitated within the Precinct but downstream outside of the Precinct boundary is beyond the scope of the Special Activation Precinct project.

Groundwater Protection Zone

The technical studies identified key areas for groundwater protection in the Precinct's east and south. As outlined in more detail in section 3.2.1, this has informed a re-shaping of the industrially zoned land. As shown on Figure 15 in the Master Plan, these areas have been designated as Groundwater Protection Zone's where particular restrictions apply including a limiting of permitted land uses. A buffer area of 1.5 km beyond the initial Precinct investigation area boundary was applied in the supporting hydrogeological study. This means that the land in the south of the Precinct, which did not form part of the initial investigation area, was in fact studied. The Hydrogeological report has been updated to show the full extent of the Groundwater Protection Zone within the final Precinct boundary. The data used to inform the mapping in the Master Plan reflects the same extent shown in the report.

3.3 Theme: Heritage

3.3.1 Aboriginal heritage

Key issues raised in submissions

Aboriginal heritage assessment

- Concerns around the protection and consideration of Aboriginal heritage and consultation with the local Wiradjuri community.
- Concerns around lack of information about Aboriginal heritage assessment.

Cultural awareness and local Wiradjuri economic empowerment

- Request that Aboriginal design and local Wiradjuri economic empowerment be incorporated into the Precincts plans and acknowledgement of the importance of cultural immersion and awareness.
- Concerns around the impacts of the adopted Structure Plan on impacts to Aboriginal heritage sites.

Landholdings of Local Aboriginal Councils

- Suggestion that there is an opportunity to review the landholdings of Local Aboriginal Councils to benefit the local community as part of the Master Plan process.

Appropriateness of permitted uses

- Concerns around the appropriateness of certain uses proposed to be permitted in the Environmental Protection Zone (Bomen Axe Quarry).
- Concerns around the development permitted in the Rural Activity Zone with regard to how this would impact on Aboriginal heritage and sense of place.

Visual impact

- Support for the protection of views to and from the Bomen Axe Quarry.

Response

Aboriginal heritage assessment

An Aboriginal Cultural Heritage study was undertaken to inform the Structure Plan and Master Plan. As is common practice, the detailed study was not included in the exhibited documents as some of the information is sensitive. A summary of the work was however included in the Environmental Assessment summary report. As part of the study, consultation was carried out with the Wiradjuri community. Further consultation with Wiradjuri community members including RAP members also occurred as part of the draft Master Plan development process.

Cultural awareness and local Wiradjuri economic empowerment

The Development Corporation is responsible for creating the Delivery Plan for the precinct which brings to life the Vision of the Master Plan by creating a framework for development within the Precinct. The Development Corporation will engage with indigenous stakeholders to determine how and where elements of Aboriginal design can be incorporated.

As part of their responsibilities in delivery of the Precinct, the Development Corporation is incorporating the Infrastructure Skills Legacy program framework into its construction contracts. This specifically addresses local employment opportunities and skills legacies in the local area for indigenous people, youth, long term unemployed and women in non-traditional roles.

The Development Corporation, with its selected contractor, will hold workshops for interested suppliers and subcontractors prior to construction. These workshops will assist local businesses in participating in the procurement process.

In addition to this, the Development Corporation is establishing a skills groups which will take a broad view of the skills required for the success of the precinct and the community. The skills groups will involve education providers, government agencies and skills providers to develop tailored skills pathways for the industries in the precinct.

Council's Reconciliation Action Plan will be considered in the development of an engagement strategy for the delivery of the project.

The Department and the Development Corporation are committed to working with the Wiradjuri nation to incorporate cultural awareness for our teams and have engaged with local community members throughout the project and will continue to into the future.

Landholdings of Local Aboriginal Councils

Land Claims are assessed by Crown Lands through a process that is independent of the work carried out as part of the planning and delivery of the Precinct. There is currently one granted land claim holding in the Precinct on the western side of Newall Highway in Brucedale. Opportunities for future use of this and any other future land holdings for the benefit of the local community will be supported by the guiding principles and controls set out in the Master Plan, particularly those set out in section 3.2.1 Wiradjuri cultural heritage, and the streamlined planning pathways provided under the Activation Precincts SEPP.

Appropriateness of permitted uses

Changes to uses in the E2 zone are discussed in section 3.1.4 and justification for the structure plan option selected are discussed in section 3.1.7.

Visual impact

Incorporation of the recommendations of the visual analysis report is discussed in section 3.2.1.

3.3.2 European heritage

Key issues raised in submissions

Historic heritage assessment

- Concerns about consideration of the Precinct's European Heritage in the Master Plan, particularly the heritage associated with the Brucedale area. Reference was made to Dame Mary Gilmore (an author and poet) who lived in the area and attended the Brucedale School and after which the road at the Precinct's northern boundary was named.
- Request to conduct a review of the 'History of the Brucedale District' compiled by the Brucedale History Committee in 1998 as a source of background information for the area.

New Local heritage items

- Heritage NSW noted that two potential additional Local heritage items were identified in the heritage study (but not in the Discussion Paper) and should be further assessed to establish if they are of local or State heritage significance, being:
 - Brucedale Post Office (former)
 - Brucedale change over station stables (former)

- Heritage NSW also noted that the following two other items that were identified in the Discussion Paper as potential Local heritage items, and recommended that these should also be further assessed to establish if they are of local or State heritage significance:
 - 2WG Transmission building, and
 - Jennings Cottage (former)

Visual impact

- Heritage NSW noted that the visual analysis undertaken considered views from listed Local heritage properties and stated that the impacts on views from these properties were considered to be acceptable, provided that the mitigation measures identified in the Visual Analysis is implemented.

Response

Historic heritage assessment

A detailed historical heritage study was undertaken to inform the Structure Plan and Master Plan. As outlined in the previous section, a summary of the work was included in the Environmental Assessment summary report. As the historical heritage study and Aboriginal cultural heritage study were combined in a single report, the full document was not exhibited due to the sensitive information it contains. The report has undergone redactions and the historic heritage information has been made available.

Consideration has been given to the important historic heritage within and surrounding the Precinct including Brucesdale. The book 'History of the Brucesdale District' was not reviewed as part of the initial work for the Precinct as it was not known to the study team however after being made aware of it, a copy was attained through the assistance of a community member and reviewed by the technical consultants. The report has been updated to include consideration of the books contents and the consultant has advised that there are no resulting changes to the findings of their report.

The Master Plan contains a range of controls that serve to protect and celebrate the historic heritage of the Precinct. This includes an aim to retain non-aboriginal heritage items and encourage changes to occur away from significant elements or sections of heritage items and requirements for the Delivery Plan to include strategies for the reuse of heritage listed buildings, and principles for the design of the heritage curtilage.

New Local heritage items

The Discussion Paper mistakenly omitted the two proposed local heritage items as identified in the Heritage technical report (Ozark, 2020) and Environmental Assessment Summary report (WSP, 2020). It did identify two other items that were identified for further investigations for potential heritage listing. All four items have been subject to further investigations and it has been determined that three of the four items should be listed as Local heritage items. Due to the error that occurred during exhibition, further consultation will occur prior to the listing of these items. It is the intention that the three identified items be included in the ESA map in the Activation Precincts SEPP as Local heritage items following this consultation.

Visual impact

Incorporation of the recommendations of the visual analysis report is discussed in section 3.2.1.

3.4 Theme: Transport and infrastructure

3.4.1 Current and proposed transport infrastructure

Key issues raised in submissions

Traffic impacts and transport infrastructure improvements

- Increases in traffic and the resulting effects this will have in terms of congestion, safety and amenity impacts were raised as concerns.
- More detail was requested around when road improvements would occur and funding commitments
- Existing issues with the quality and performance of existing transport infrastructure were raised, such as unsuitable intersections, insufficient bus facilities, insufficient guidance and enforcement of truck limits along roads within the Precinct, access to properties along the Olympic Highway and flooding impacts on approach roads.

Active and public transport

- In their submission, School Infrastructure NSW made a range of recommendations about active and public transport.

Response

Traffic impacts and transport infrastructure improvements

TfNSW have been heavily involved in the planning process for the Precinct. TfNSW are currently preparing a place plan for Wagga Wagga that looks at strategically planning for the growth of its population to 100, 000 people. The place plan specifically considers the Special Activation Precinct and its relationship with the broader region.

TfNSW (including RMS) and the Department will continue to monitor development within the Precinct and the surrounding areas to determine when identified upgrades are required. The specific needs for upgrades will be dependent on the types and timing of development that occur in the future both within and surrounding the Precinct. As businesses establish and planning for surrounding areas (such as the northern growth area) progresses, so will plans for the road network.

As required by the Master Plan, the Delivery Plan will contain more specific detail and controls for the transport network. This will include a street plan that comprises things like street hierarchies, street types, sections and reserve widths, staging, methodology / triggers for upgrades and long-term ownership and management. The Delivery Plan will be exhibited and will address in more detail responses to some of the issues raised by community members.

A new control has also been included in the Master Plan requiring that the street plan consider the guidance set out in the NSW Heavy Vehicle Access Policy Framework to support the safe and efficient movement of road freight throughout the Precinct and identification of preferred truck routes.

Active and public transport

The Master Plan sets out clear aims around promoting active and public transport connections and safe movement around the precinct. A walking and cycling network plan, refined in consultation with Council and TfNSW, will also be prepared as part of the Delivery Plan as will concepts for pathways.

3.4.2 Services and Utilities

Key issues raised in submissions

Infrastructure upgrades

- It was noted that upgrades to energy infrastructure within the Precinct would be required in the future and questions were raised as to whether funding has been secured for the associated costs.
- Requests for clarification about wastewater and sewage treatment management including clarity around future upgrades.
- Requests that future distribution line infrastructure be placed underground to maintain visual amenity.
- Request to consider potential future connections to a Data Centre outside of the Precinct.

Solar panels

- Request that solar panels on the roof of developments be a requirement.

Service providers

- Transgrid requested that its transmission easements be illustrated in the Master Plan and that measures for protection of easements and the potential future operation and expansion of the Wagga North substation be included in the Plan.
- APA recommended that as part of the Delivery Plan drafting, the Development Corporation seek input from APA to confirm the Safety Management Study (SMS) requirements and any recommendations to be incorporated into future approvals for development within Precinct. APA also recommended that input be sought from APA to ensure that controls in the Master Plan and Delivery Plan appropriately consider the existing High Pressure Gas Transmission Pipelines that run through the Precinct.

Response

Infrastructure upgrades

A business case for trunk infrastructure, including upgrades to energy infrastructure, digital infrastructure and wastewater and sewage treatment facilities is being prepared and additional capacity will be planned for. The Development Corporation will communicate outcomes later in 2021.

Council's Development Servicing Plan for Sewer was last updated in 2013. Council have advised that this Plan is anticipated to be updated in 2021/22. Council have advised that its strategic documents regarding the management of sewerage services are due to be reviewed.

Options for undergrounding distribution lines and connections to digital infrastructure such as Data Centres outside of the Precinct will be considered by the Development Corporation as part of their delivery works and requirements will be further detailed in the Delivery Plan. Providing access to high quality digital infrastructure is a priority for the Precinct.

Solar panels

It may not be suitable for certain developments to have rooftop solar panels in terms of things like business operational needs. For this reason, while adoption of solar by businesses in the Precinct will be encouraged, it is not appropriate to mandate solar panels on roof tops.

Service providers

A number of new controls have been included in the Master Plan to support protection of infrastructure within the Precinct in response to feedback received from submissions from service providers. These include requirements around:

- Protection of utility and service corridors from incompatible or unsuitable development.
- Safety Management Study's.
- Landscaping treatments and plantings within easements.

- Appropriate development within or adjacent to high voltage transmission line easements.

Controls in the Delivery Plan will be developed in consultation with relevant utility/service providers. Key provisions under Clause 66C have been replicated in the Activation Precincts SEPP, prepared and determined in consultation with APA.

The E2 and RE1 zones that adjoin the TransGrid site where the Wagga North Substation is located provide protection to an important aboriginal heritage site. Any development of the TransGrid site will need to be carried out in such a way that it does not impact the heritage value of this land. Consideration will be given to the operation and potential future expansion of the Wagga North Substation as part of any new development within the RE1 and E2 land.

3.5 Theme: Safety

3.5.1 Fire and emergency services

Key issues raised in submissions

Management of fire and safety risks

- Fire and Rescue NSW (FRNSW) raised several issues to ensure the Precinct has the right safety and fire measurements in place, that developers are aware of fire related requirements and ensure their firefighters are safe when responding to and managing incidents.
- NSW Rural Fire Service (NSW RFS) requested clarification of how planning will prohibit certain types of development under Section 100B of the Rural Fires Act.

Emergency services operational capacity

- NSW RFS also raised that development in the Precinct would require an increase in operational capacity for emergency services.

Response

Management of fire and safety risks

A new section has been included in the Master Plan (section 3.3.9) that focuses on fire, safety and emergency services. It sets out controls that respond to the submissions received from FRNSW and RFSNSW. Safety planning, design, operations and requirements, including access and onsite utilities will be detailed in the Delivery Plan, in consultation with Safe Work NSW, FRNSW and NSW RFS.

It is important to note that potentially hazardous development must follow the rigorous process outlined in the Activation Precinct SEPP and Master Plan prior to an Activation Precinct Certificate being issued. To ensure that potentially hazardous development is appropriately managed for complying development, a provision has been included which requires the Planning Secretary's approval for this type of development prior to the Activation Precinct Certificate being issued to ensure the risks are acceptable. As per the Master Plan development is to be identified as either low, medium or high risk. Development that is defined as high risk will not be permitted as complying development.

The Rural Fires Act 1997 will prevail over the Activation Precincts SEPP, this means that sensitive land uses such as childcare facilities cannot be complying development in bushfire prone lands.

Emergency services operational capacity

Wagga Wagga City Council have advised that there have been ongoing discussions with RFS around locating emergency services in the Northern Suburbs and that the preferred location is within Bomen. Council will continue to work with RFS and other emergency services in Wagga Wagga to ensure operational capacity meets the needs of the growing Precinct.

3.6 Theme: Consultation

3.6.1 Equitability

Key issues raised in submissions

- Concerns were raised that certain groups within the community were given preferential treatment to others in expressing their opinions and informing the draft Master Plan
- Concerns that preferential treatment has had a disproportionate effect on the draft Master Plan through the significant shifting of the industrial zone boundary.
- Concerns that in all public consultation meetings to which Brucedale residents were invited, there was no option to express views as to the best option for location of the precinct.

Response

The Department would like to thank key stakeholders, landowner and surrounding communities for their participation and involvement in the master planning process.

The Department's community engagement program does not discriminate or allow for preferential treatment with community groups, landowners or stakeholders.

Landowners within and communities surrounding the Precinct were provided the same opportunities for engagement, and communication has been open and transparent. The same information was presented at meetings and briefings; therefore no preferential treatment was given to any landowners, stakeholders or communities/community groups.

The realignment of industrial/employment land from the eastern side of the ridgeway to the core area of the Rural Activity Zone is due to the topography of the land being unsuitable for industrial development, the protection of important groundwater, including the modelling of air, noise and odour impacts, as outlined further in section 3.1.3.

Early in the master planning process, the Department liaised with the two main neighbouring communities, inviting 4 representatives from each community to attend two focus group meetings during the Design-by-Inquiry workshop. These focus group meetings provided participants with an opportunity to gain an understanding of how the plans were progressing and to provide their input and feedback early in the process. Due to privacy reasons, the Department cannot release the names of the participants.

Community meetings, pop-ups, business briefings and one-on-one landowner briefings took place in 2019 and in 2020. Before the exhibition of the draft Master Plan, the Department held several community meetings, including at Brucedale community hall, which provided attendees with an overview the main elements of the Master Plan, including the boundary and land uses. Participants were able to ask questions and have their issues clarified, including an opportunity to discuss concerns with the Department's Senior Planners directly.

There were also other communication channels open to the community, including a dedicated email address, a dedicated 1300 number, contacts at Wagga Wagga City Council and with the Special Activation Precinct team directly.

3.6.2 Communication and transparency

Key issues raised in submissions

- Stakeholders felt they had not been appropriately and transparently communicated with and were not made aware of the proposed land use changes within the Precinct until after the release of the draft Master Plan.
- Some stakeholders noted support for the communication and consultation activities.

Response

Communication and transparency

The Department made every effort to contact impacted landowners and would like to apologise to landowners that didn't feel engaged through process.

The Department uses Wagga Wagga City Council's ratepayer database. The Department did not solely rely on mailouts or emails to reach impacted landowners. The Department ran local print and radio ads; pushed information out via social media; local TV and newspapers conducted interviews and Wagga Wagga City Council promoted the Special Activation Precinct in their newsletter and on their website.

Regarding existing business enterprises in the Precinct, Wagga Wagga City Council provided email addresses as an additional way of communicating with existing businesses. Functions were held regularly specifically targeting existing businesses in the Precinct, along with additional events organised through the Committee4Wagga.

Leading up to the exhibition of the draft Master Plan and as early as March 2020, the Department conducted community and stakeholder meetings, showing the boundary of the Precinct, including explaining the rationale of the land use approaches in the Regional Enterprise Zone and in the Rural Activity Zone. The information presented also stated the permissible land uses and the land use approaches in the new Rural Activity Zone that specified '*a new Agricultural Enterprise Zone will create a transition between the industry and areas adjoining the precinct with no new residential uses permissible*'. The Department's Planners were at these meetings to take questions and to discuss issues with landowners directly.

3.7 Theme: Precinct delivery

3.7.1 Property acquisition and compensation

Key issues raised in submissions

- Concerns around the process for property acquisition particularly with regard to timing of initial discussions and how land would be valued.

Response

The Development Corporation began initial discussions about acquisition during the master planning as the process can take 12 months or more. The finalisation of the acquisitions will occur after the release of the final Master Plan and Activation Precincts SEPP update unless landowners agree to an earlier settlement.

The Development Corporation will undertake any required acquisitions in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (the Just Terms Act). The Just Terms Act sets out legislative requirements to ensure a fair process for compensation in the event of land acquisition by an authority of the State.

Key matters such as the market value of the land, any special value to the landowner and expenses as a result of relocating must be considered under the Just Terms Act. For more information on the compulsory acquisition process and matters for consideration, see the NSW Government's website at: <https://www.propertyacquisition.nsw.gov.au/>.

Land valuations are based on current zoning and market value of the land.

3.7.2 Consultation requirements for future development

Issues raised in submissions

- Concerns around the ability to have input into the planning process for the area following finalisation of the Master Plan and Activation Precincts SEPP update.

Response

Community consultation is one of the most important aspects of planning for the Special Activation Precinct. The Department values the input and feedback from the community and will maintain contact and continue to engage with landowners and the broader community throughout delivery phase of the project. The Delivery Plan, which will contain more site specific controls for the Precinct, will be available for public comment once drafted.

The Department acknowledges the community's concerns and a new clause has been included in the Activation Precinct SEPP which requires the Delivery Plan to be publicly exhibited for a minimum of 28 days. This will ensure the community can comment further on the planning process.

3.7.3 Staging

Issues raised in submissions

- Requests that controls around staging be implemented such as requirements for certain areas to be substantially or fully developed before new areas are opened for development.
- Requests for more specific details around when and where new infrastructure will be built.
- Concerns that the 40-year planning timeframe was too long and requests for it to be shortened.

Response

The area being zoned for Regional Enterprise will be delivered in stages. Staging as well as the location and timings of infrastructure will be detailed in the Delivery Plan. The staging will be in accordance with the staged delivery of infrastructure as the precinct grows. Initial work is likely to be focused around existing Bomen Estate and Riverina Intermodal Freight and Logistics Hub. Land north of Trahairs Road is expected to be serviced in a later stage.

Preparing a long term plan for the Precinct means its ongoing viability is protected and potential benefits, related to things like employment and business opportunities, can be realised. The plans for the precinct will be reviewed on an ongoing capacity to account for any changes that may occur in the future.

4. Improvements to the Master Plan and Activation Precincts SEPP

In reviewing the draft Master Plan and proposed updates to the Activation SEPP following exhibition, some additional improvements were identified. These changes are not in direct response to the submissions received and so are not discussed in the previous section. An outline of these changes and why they have been made is provided in this section.

4.1 Deferred commencement

The Department has developed a Master Plan and an amendment to the Activation Precincts SEPP to create the first two parts of the new planning framework for the Wagga Wagga Special Activation Precinct. The Delivery Plan, the third and final part of the framework, can only be prepared following finalisation of the SEPP update and Master Plan as they both inform its requirements. In order to ensure that development can continue to occur until the Delivery Plan is finalised, a deferred commencement date has been included in the SEPP. This means that the Wagga Wagga Local Environment Plan 2010 will still apply to the Precinct, but development will need to be consistent with the final Master Plan.

4.2 Process for assessing potentially hazardous development

It is important to note that potentially hazardous development must follow the rigorous process outlined in the Activation Precinct SEPP and Master Plan prior to an Activation Precinct Certificate being issued.

It is important to note that potentially hazardous development must follow the rigorous process outlined in the Activation Precinct SEPP and Master Plan prior to an Activation Precinct Certificate being issued. To ensure that potentially hazardous development is appropriately managed for complying development, a provision has been included which requires the Planning Secretary's approval for this type of development prior to the Activation Precinct Certificate being issued to ensure the risks are acceptable. As per the Master Plan development is to be identified as either low, medium or high risk. Development that is defined as high risk will not be permitted as complying development.

A future SEPP Amendment will be required to include conditions for complying development that are low or medium risk to ensure the safety of the precinct is maintained.

4.3 Process for managing development on contaminated land

The process for managing contaminated land has also been refined with some activities brought forward. A map highlighting 'areas of environmental interest' identified through the Contamination Preliminary Site Investigation (WSP, 2020) has also been included in the Master Plan. The map indicates locations where detailed site investigations are required to further understand potential contamination risks. Sites that require remediation will not be permitted as complying development.

4.4 Clarifications about flood prone land

In order to provide additional clarity within section 3.3.5 Flood Risk Management of the Master Plan, some further guiding information has been included and some of the performance criteria wording has been updated. These updates reflect that some of the flood prone land that has been identified in the technical reports, and that is reflected in Figure 17: Flood prone land in the Master Plan, can be modified to incorporate development.

4.5 Groundwater Protection Zone

The draft Master Plan prohibited certain development types within the Groundwater Protection Zone. The final Master Plan has been updated to allow these development types within the Groundwater Protection Zone only where the Issuing Authority is satisfied that the development is unlikely to adversely impact on

existing groundwater sources, is unlikely to adversely impact on future extraction from groundwater sources for domestic and stock water supplies and is designed to prevent adverse environmental impacts, including the risk of contamination of groundwater sources from on-site storage or disposal facilities. This change reflects standard provisions (such as Clause 7.6 Groundwater vulnerability of the Wagga Wagga LEP 2010) and means some forms of the listed development types may occur but only where stringent measures that provide suitable protections are in place.

4.6 Changes to permitted and prohibited land uses

Some corrections were made to errors in the land use tables provided in the Discussion Paper. These are outlined following.

Heavy industrial storage establishments, correctional centres and helipads were incorrectly listed as permitted with consent within the Regional Enterprise Zone. These uses have been made prohibited as they represent risks to sensitive receptors and do not align with the Precinct's objectives. Bee keeping, dairies (pasture based) and garden centres were incorrectly listed as prohibited within the Regional Enterprise Zone. These uses have been made permitted with consent as they are in line with the objectives of the zone to provide for a wide range of employment generating uses. Home businesses and home occupations were also listed as prohibited in the Regional Enterprise Zone. These uses have been made permitted without consent as they will allow for activities that do not represent a conflict with the intent of the Precinct and are considered to be minor in nature.

Water treatment plants, sewerage treatment plants and biosolid treatment facilities were incorrectly listed as permitted with consent within the Rural Activity Zone. These uses have been corrected to prohibited as they are not considered to be appropriate or consistent with the objectives of the zone. In addition, due to the topography of the Precinct these types of land uses are more suitable to be located within the Regional Enterprise Zone.

The following uses were incorrectly listed as prohibited within the Public Recreation Zone (RE1): advertising structures, building identification signs, business identification signs, sewage reticulation systems, research stations, water reticulation systems. These uses have been made permitted with consent as they are aligned with the objectives of the zone. The following uses were also incorrectly listed as prohibited within the RE1 zone however are required to be permitted as per the Standard Instrument: oyster aquaculture, pond-based aquaculture, tank-based aquaculture. The following uses were incorrectly listed as permitted with consent in the RE1 zone: centre-based child care facilities, depots, entertainment facilities, function centres, helipad, recreation facilities (indoor), recreation facilities (major), recreation facilities (outdoor), water storage facilities and water treatment facilities. These uses have been made prohibited as they are not aligned with the objectives of the zone. Many of these uses were carried over in error from the land use table for RE1 zoned land in the Wagga Wagga LEP 2010 and are not suitable for the RE1 zoned land specific to the Precinct.

Flood mitigation works have been made a permitted with consent use in the SP2 zone as these types of works will facilitate the ongoing management and development of the land for infrastructure purposes.

4.7 Correction of landscape strategy mapping

Improvements have been made to Figure 8: Landscape strategy for minimising visual impact to more clearly demonstrate the intended approach to tree planting in the road reserves. Some additional areas have been indicated for tree planting that were omitted from the draft Master Plan.

4.8 Independent mobility

A new aim has been added to the Master Plan to support independent mobility for people of all ages and abilities within the Precinct.

4.9 Community and social infrastructure

New controls to support the delivery of community and social infrastructure as part of the Precinct have been provided. These controls were determined to be important to ensure that as the local population grows - supported and driven by greater opportunities for local jobs – the Precinct plays its role in providing for the accompanying increase in community and social infrastructure needs.

4.10 Heritage

New controls have been included in the Master Plan to provide clarity around the process for further aboriginal heritage assessment within the Precinct. The Aboriginal Cultural Heritage Management Plan, which the Master Plan requires to be developed as part of the Delivery Plan, will provide further detail around requirements.

A new clause to better support the protection of non-Aboriginal heritage items has also been included in the Activation Precincts SEPP.

4.11 Exhibition of Delivery Plans

In order to ensure the community have the opportunity to provide feedback on the Delivery Plan for the Precinct, a new requirement has been included in the SEPP that it must be exhibited for a minimum of 28 days.

4.12 Exempt Development

To support people with homes located within the Precinct, additional exempt development provisions have been included in the Activation Precincts SEPP to allow existing dwellings to undertake minor works as exempt development.

4.13 Requirements for Development Applications

A requirement that the Minister for Planning and Public Spaces to be the consent authority for all development applications within the Regional Enterprise Zone has been included in the Activation Precincts SEPP to support the fast tracking of development in this zone.

A requirement has also been included in the Activation Precincts SEPP that childcare based facilities and electricity generating works cannot be complying development due to their associated sensitivities.

4.14 Bushfire hazard reduction works

To support safety within the Precinct, a new clause has been included in the Activation Precinct's SEPP to allow for bushfire hazard reduction works authorised by the Rural Fires Act 1997 to be carried out on any land without development consent.

5. Summary of changes

A number of changes have been made to the exhibited draft Master Plan and Activation Precincts SEPP amendment based on the feedback received through submissions and as a result of identified areas for improvement. A summary of these changes is provided below. Further details of the changes and discussion around why they have been made is provided in sections 3 and 4 of this report. The final Structure Plan for the Wagga Wagga Special Activation Precinct that incorporates the relevant changes is shown at **Figure 9**.

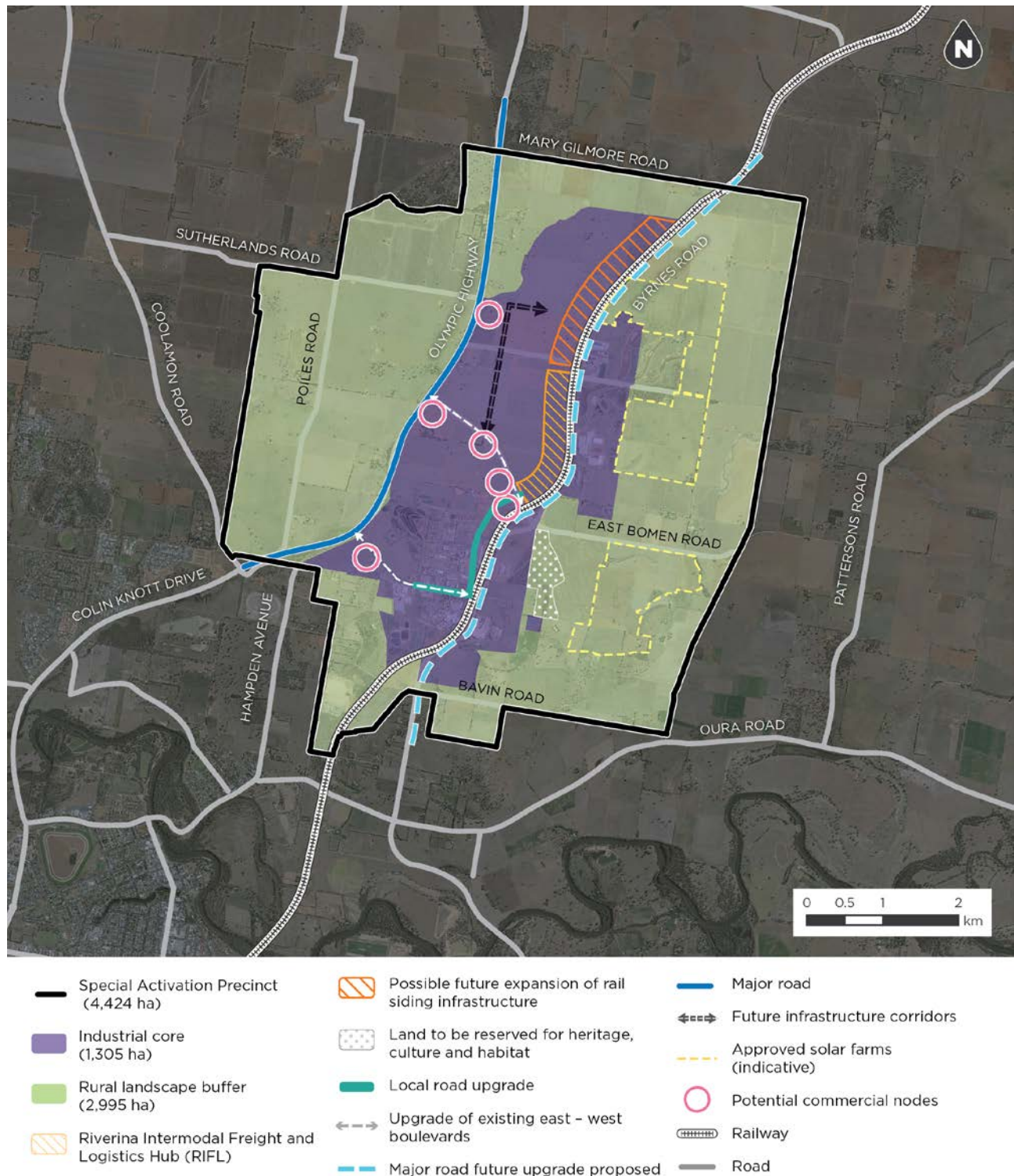


Figure 9 Final Structure Plan

5.1 Master Plan

- Changes to the Precinct Boundary in the north western corner resulting in a reduction of the Rural Activity zoned land in this area.
- New requirements for built form, landscape character and visual impact, many informed by the recommendations of the Visual Analysis report (Jenson, 2020).
- New site specific air, noise and odour controls for the additional 8 hectares of land that has been included in the Regional Enterprise Zone and the former wool combing ponds site.
- A reduction in the area where small scale solar energy farms are permitted in the Rural Activity Zone.
- New controls supporting the protection and celebration of Wiradjuri culture.
- New controls for precinct air, noise and odour monitoring to ensure that activities within the Precinct meet requirements.
- New requirements for tree planting including requirements for early tree planting.
- Updates to the groundwater and water resource controls to strengthen protections around water both inside and outside of the Precinct and to allow for development in the Groundwater Protection Zone only where it meets stringent requirements.
- Clarifications about the flood prone land mapping and what is possible / suitable within land mapped as flood prone.
- A new requirement for the incorporation of water sensitive urban design principles for the management of water quality and efficiency.
- New controls relating to sustainability and updates to reflect a net zero emissions approach to better support environmental outcomes.
- Improvements to the processes for assessing hazardous and offensive development and managing development on contaminated land.
- A new Principle that reflects a focus on the delivery of a safe Precinct along with a new section on Fire, Safety, Human Health and Biosecurity.
- New more detailed controls to support the delivery of community and social infrastructure.
- New aims for equitable access across the Precinct.
- Additional controls to support road safety and efficient freight movement across the Precinct.
- New controls to provide greater protections for utility/service infrastructure.
- Minor text edits to improve the Master Plan's structure and readability.

5.2 Activation Precincts SEPP

- Requirement that the Planning Secretary is to be the consent authority for all development applications (applications that are not eligible to go through an exempt or complying development pathway) within the Regional Enterprise Zone which will allow for development to be fast tracked in this zone.
- A requirement that all Delivery Plans are to be exhibited for a minimum of 28 days prior to being approved by the Planning Secretary.
- Inclusion of a savings and transitional provision for development applications that have been lodged but not yet determined.
- Inclusion of a deferred commencement clause for the Activation Precincts SEPP in relation to the Precinct to ensure development can continue until the Delivery Plan is finalised (development must still be consistent with the final Master Plan).
- Additional uses have been permitted on a parcel of land in the north east of the Precinct to incentivise its rehabilitation.
- Inclusion of an additional 8 hectares of land at the corner of East Bomen Road and Byrnes Road in the Regional Enterprise Zone.

- A reduction in the area where small scale solar energy farms are permitted in the Rural Activity Zone.
- Inclusion of key fish habitat on the environmentally sensitive areas map, development in these areas require a development application.
- Inclusion of regulated land (category 2 under the Local Land Services Act 2013) on the environmentally sensitive areas map, development in these areas.
- A new clause to support the protection of heritage items.
- A new clause to allow for bushfire hazard reduction works authorised by the Rural Fires Act 1997 to be carried out on any land without development consent.
- A new clause so that clearing in environmentally sensitive areas requires development consent.
- Removal of the restriction on office premises within the Regional Enterprise Zone.
- Additional exempt development provisions to allow existing dwellings to undertake minor works.
- A requirement that childcare based facilities and electricity generating works (with the exception of solar energy farms) must obtain a development application.
- A requirement that prior to the issue of an Activation Precinct Certificate:
 - electricity, rail and pipeline utilities are to be consulted with (this is similar to the Infrastructure SEPP).
 - approval by the Planning Secretary must be given for potentially hazardous development that is complying development to ensure the risks are acceptable. Development identified as high risk will require a development application.
- Changes to land zoned SP2 to reflect the current operations and infrastructure at certain sites – some SP2 land has been rezoned to REZ, other land has been rezoned from RAZ and REZ to SP2.
- Changes to permitted and prohibited land uses in each of the zones including:
 - Regional Enterprise Zone:
 - Permitted without consent: Home businesses, home occupations, roads.
 - Permitted: Bee keeping, dairies (pasture based), garden centres.
 - Prohibited: Correctional centres, heavy industries, heavy industrial storage establishments, helipads.
 - Rural Activity Zone:
 - Permitted without consent: roads
 - Permitted: Intensive plant agriculture, animal boarding and training establishments aquaculture.
 - Prohibited: Biosolid treatment facilities, sewerage treatment plant, water recycling facilities.
 - SP2 Zone:
 - Permitted with consent: Flood mitigation works.
 - RE1 Zone:
 - Permitted: Advertising structure, building identification sign, business identification sign, oyster aquaculture, pond-based aquaculture, sewage reticulation systems, tank-based aquaculture, research stations, water reticulation systems.
 - Prohibited: Centre-based child care facilities, depots, entertainment facilities, function centres, helipad, recreation facilities (indoor), recreation facilities (major), recreation facilities (outdoor), water storage facilities, water treatment facilities.
 - E2 Zone:
 - Permitted: sewage reticulation systems, water reticulation.
 - Prohibited: extensive agriculture, farm buildings, home-based childcare, home businesses, home occupations, recreation facilities (outdoor), signage.

6. Next steps

As the Master Plan and the Activation Precincts SEPP amendment are now finalised, the Development Corporation will prepare for construction and development within the precinct.

This will include:

- Preparing and publishing a delivery plan which outlines staging and detailed requirements for development (this plan will be placed on public exhibition for comment).
- Undertaking a tender process to select contractors to design and build the supporting infrastructure.
- Preparing a detailed design and consulting with impacted stakeholders
- Beginning construction of supporting infrastructure (roads, sewer, water).

