



IRF23/2041

Discussion Paper

Tolland Estate Renewal – Wagga Wagga

November 23



Acknowledgment of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Tolland Estate Planning Proposal and technical reports

Relevant reports and plans

Planning Proposal Report, Stantec, 14 September 2023

Draft concept masterplan and landscape masterplan, Stantec, September 2023

Aboriginal and Historic Due Diligence Assessment Report, OzArk, September 200

Preliminary Biodiversity Assessment Report, The Environmental Factor, September 2023

Preliminary Flood Assessment, GRC Hydro, 13 September 2023

Social and Community Assessment, Stantec, 12 September 2023

Transport Impact Assessment Report, Stantec, 14 September 2023

Urban Design Report, Stantec, 14 September 2023

Utilities Assessment Report, Stantec, 14 September 2023

Notable Tree Inventory, Stantec, August 2023

Preliminary Site Investigation, McMahon Earth Science, August 2023

Preliminary Acid Sulfate Soils Assessment, McMahon Earth Science, August 2023

Environmental Management Plan, McMahon Earth Science, August 2023

Material Management Plan, McMahon Earth Science, August 2023

Have your say

The Department of Planning and Environment welcomes your feedback on the proposed Tolland Estate Renewal, Discussion Paper, and amendments to *Wagga Wagga Local Environmental Plan 2010*.

The Department will publish all individual submissions and a consultation summary report once it has assessed and analysed the submissions.

You can view the Discussion Paper and supporting documents at <https://www.planningportal.nsw.gov.au/ppr/under-assessment/tolland-estate-redevelopment>

To make a submission online please follow the steps below.

- 1) Read our Privacy Statement and decide whether to include your personal information in your submission.
- 2) Fill in the online submission form. Your submission can either be typed or uploaded as a PDF and should include:
 - a) the name of the proposal (Tolland Estate Renewal– draft Discussion Paper)
 - b) a brief statement on whether you support or object to the proposal
 - c) the reasons why you support or object to the proposal.
- 3) Ensure you disclose reportable political donations. Anyone lodging submissions must declare reportable political donations (including donations of \$1,000 or more) made in the previous two years.
- 4) Agree to our online statement and lodge your submission.

You may also lodge your submission via post by sending it to:

Executive Director

Key Sites and Regional Assessment

Department of Planning and Environment, Locked Bag 5022, Parramatta NSW 2124

All submissions will be made public in line with our objective to promote an open and transparent planning system. If you do not want your name or other personal identifying details published, please state this clearly at the top of your submission.

To find out more, please visit <https://www.planningportal.nsw.gov.au/ppr/under-assessment/tolland-estate-redevelopment>.

Executive summary

The Department Rezoning Pathways program seeks to identify and deliver proposals of state or regional significance, which can contribute to increasing housing supply, to meet the needs of NSW's growing population.

The State-assessed planning proposal program is a pilot process under the Rezoning Pathways program and in December 2022, we invited industry to apply for the State-assessed planning proposal pathway. Five successful applicants were invited to submit a planning proposal with the Department to be considered for inclusion in the Rezoning Pathways program. The Tolland Estate Renewal proposal was one of the projects selected. It was selected as it seeks to deliver approximately 500 dwellings, of which approximately 40% will be social and affordable housing, in a growing regional area.

This Discussion Paper outlines the Department's assessment of the Tolland Estate Renewal planning proposal and presents proposed amendments to the planning framework for consultation.

During the public exhibition of this Discussion Paper and the planning proposal, feedback from community, key stakeholders, Wagga Wagga City Council, and relevant government agencies will assist to determine if the proposal demonstrates appropriate place-based planning outcomes.

The proposal seeks to grow Tolland Estate into an inclusive, vibrant, sustainable neighbourhood, delivering a variety of housing choices, improved green spaces, enhanced and safer public spaces and opportunities for social connection, education, and employment. The key objectives of the proposal are to enable the renewal of the Tolland residential estate to deliver the following outcomes:

- to provide a mix of housing types to cater for a range of household types and affordability, including social and affordable housing, seniors housing and private market dwellings
- create a revised street layout to create an accessible, connected, pedestrian friendly, and safe suburb
- improve open space and recreation outcomes by increasing, extending, and connecting green spaces, embellishing parks, providing footpaths and shared pathways, improving landscaping and tree coverage to provide a high quality, safe and accessible open space
- allow flexibility in the design process while detailed site studies and land acquisition processes are ongoing.

A number of documents have been placed on Public Exhibition to allow community and stakeholders to provide feedback on the proposed redevelopment of the site. The exhibition package includes:

- a Discussion Paper (this document),
- a planning proposal, and
- technical studies, prepared to inform the draft precinct plan.

Land and Housing Corporation (LAHC) and Wagga Wagga City Council are in the process of preparing the following:

- a draft development control plan with general controls that will provide the framework and staging for future development; and
- a draft development contributions plan to fund local infrastructure such as local roads, drainage infrastructure and open space.

1 Rezoning Pathways Program

1.1 State-assessed planning proposal pilot program

The Department of Planning and Environment's Rezoning Pathways Program aims to identify and deliver strategically important rezonings of state or regional significance that can contribute to increasing housing supply, to meet the needs of NSW's growing population.

In December 2022, we invited industry to apply under a pilot process for the State-assessed Planning Proposal (SAPP) industry nominated pilot program. Under the program the following four key criteria were used to determine whether a proposal was appropriate for the program:

- how well the proposal demonstrates public benefits, including through housing supply and alignment with state policies and land-use strategies
- the proposal's contribution to affordable and social housing outcomes
- the impediments to delivery and if these could be resolved
- availability of infrastructure or commitment to funding critical infrastructure.

In July 2023, five projects were selected and given the opportunity to submit a planning proposal with a focus on delivering new homes to be considered for inclusion in the Rezoning Pathways program. On 14 September 2023. All five planning proposals were lodged with the department for assessment.

1.2 Governance

1.2.1 Department of Planning and Environment

The Department is the lead agency for the SAPP industry nominated pilot program and the authority responsible for the governance of the program, and will be responsible for:

- assessing the planning proposal
- preparing a Discussion Paper which considers the suitability of the proposed development for public exhibition
- engaging with community and stakeholders
- consulting with council and public agencies
- final assessment of the planning proposal taking into consideration any submissions received from the community and relevant stakeholders, and
- if the Department supports the proposal to proceed, the department will progress the necessary legislative amendments via an appropriate environmental planning instrument to implement the proposal.

Input received from Council and public agencies will assist to form a whole of government position that will be considered by the Minister for Planning and Public Spaces in determining whether the proposal should proceed.

1.2.2 Land and Housing Corporation and the Aboriginal Housing Office

NSW Land and Housing Corporation (LAHC) owns and maintains social housing properties across NSW. These properties are leased to residents by the Department of Communities and Justice or directly to Community Housing Providers.

The Aboriginal Housing Office (AHO) is a statutory body established under the *Aboriginal Housing Act 1998 (NSW)* to ensure that Aboriginal and Torres Strait Islander people in NSW have equal access to, and choice in, affordable quality housing.

LAHC and AHO own large areas of land within the Tolland Estate. LAHC is working with the AHO, Wagga Wagga City Council and community housing providers, the Argyle Consortium (consisting of Argyle Housing, Birrabee Housing and BlueCHP) to transform the Tolland estate into a mix of new social, affordable, seniors and private housing, along with new community facilities, roads, and parks.

1.2.3 Wagga Wagga City Council

Wagga Wagga City Council (Council) has been working with LAHC on this project. A master plan for the redevelopment was endorsed by the council and publicly exhibited in September to October 2023. There has been extensive consultation and collaboration between LAHC and the Council to work together on delivery of improved and additional social housing.

On 5 October, Council was advised that a planning proposal for Tolland Estate had been submitted for consideration under the State-assessed planning proposal (SAPP) industry nomination pilot. The Department has worked closely with the Council throughout assessment of the planning proposal. This includes council staff reviewing the planning proposal and participating in a series of technical meetings/workshops with the applicant and relevant public agencies, chaired by the department.

1.2.4 Public agencies

The Department will consult with relevant public agencies on the planning proposal during public exhibition.

1.3 Process and consultation

Date	Consultation
14 July 2023	Successful State-assessed planning proposal applicants announced.
09 August 2023	Pre-lodgement: initial meeting between the Department and proponent to understand the intent of the proposal, how far the proposal is progressed, technical studies completed and required and to outline project timeframes.
05 September 2023	Pre-lodgement: initial meeting with TfNSW to identify and key traffic and transport issues.
05 September 2023	Pre-lodgement: project update meeting with proponent.
06 September 2023	Pre-lodgement: the Department attended a meeting held between the proponent and Council, to introduce the departmental Planning Officer working on the project.
14 September 2023	Lodgement: Planning proposal lodged.
26 September 2023	Post-lodgement: Adequacy review undertaken. Proposal deemed to be adequate for assessment and made publicly available.
09 October 2023	Post-lodgement: formal letter advising Council of lodgement of proposal and request for Council participation sent out.

Date	Consultation
13 October 2023	Post-lodgement: initial post lodgement meeting, attended by the Department, proponent, LAHC, Wagga Wagga City Council and TfNSW to identify and key issues with the planning proposal.
17 October 2023	Post-lodgement: Department staff undertook a site visit.

1.4 Discussion paper

This Discussion Paper outlines the Department's assessment of the planning proposal and outlines proposed amendments to the *Wagga Wagga Local Environmental Plan (LEP) 2010* (Wagga Wagga LEP) for purposes of public consultation.

During the public exhibition period, the Department will consult the community and work with Council and relevant government agencies to determine the level of support for the proposed amendments.

The Department will review submissions received during the public exhibition to address any issues raised and make any amendments to proposal in response to feedback received. If the Department supports the proposal to proceed, the Department will progress the necessary legislative amendments via an appropriate environmental planning instrument to implement the proposal.

2 Tolland Estate planning proposal

The Tolland Estate Planning Proposal (**Attachment A**) with supporting technical documents (**Attachment B**) was prepared by LAHC and submitted to the Department on 14 September 2023.

The project seeks to redevelop and improve the Tolland Estate by delivering approximately 500 new homes, a revised street layout and improved open space and recreation outcomes by increasing, extending, and connecting green space. New homes will include lots for sale to the private market, enabling people to purchase and build their own home, as well as new, modern social and affordable housing that fits seamlessly into the local streetscape.

2.1 Site description

The subject site comprises the western portion of the suburb of Tolland and is located within the Wagga Wagga (Wagga) Local Government Area (LGA). The site is approximately 67.5ha in size and is bound by Glenfield Road to the west; Red Hill Road to the south and Bourke and Martin Street to the east. The northern boundary of the site is the rear property boundaries of the dwellings fronting Maher Street.

The subject site comprises 634 allotments, comprising 387 private residential homes, 227 social housing and 20 vacant social housing lots. The properties owned by LAHC and the AHO are generally located in the south-west corner of the subject site. LAHC owns 152 dwellings, 20 vacant lots and one community centre. The AHO owns 75 dwellings. The land owned by LAHC and the AHO makes up approximately 39% of the subject site.

The estate is characterised by low density housing with inconsistent lot patterns, orientation, and frontages. The local road network consists of curved streets, cul de sacs and laneways. A private and public school, community centre, a place of worship and areas of public open space, including Chambers and Emblem Park are also located within the site.

The subject area is zoned R1 General Residential; R3 Medium Density Residential; B1 Neighbourhood Shops; and RE1 Public Recreation under the Wagga Wagga LEP.



Figure 1 subject site (source: Stantec planning proposal)

2.2 Regional context

Wagga is the largest inland regional city in NSW and the regional capital of the Riverina Murray region, providing commercial, health, education, civic and social services to a catchment of approximately 190,000 people. The city of Wagga is home to more than 67,000 people and Wagga's population is expected to grow to 100,000 in the coming years. To support this population an additional 14,000 dwellings will be required across the LGA.

The Wagga Wagga Local Strategic Planning Statement (LSPS) identifies that urban infill and renewal will assist to deliver housing supply and specifically identifies the Tolland Estate as an area suitable for redevelopment, breathing new life into the estate while locating residents close to employment and services located in the Wagga Wagga CBD.

The suburb of Tolland is located approximately 4km south of the Wagga town centre and is surrounded by predominantly low-density residential housing. To the south of the site is Jubilee Park, a 30-hectare multi sporting complex, comprising touch football, hockey and baseball fields, an athletics track, playground, canteen and change rooms. Immediately northeast of the site is Mount Austin High School with approximately 500 students and on the eastern side of Bourke

Street is a local shopping centre comprising an IGA supermarket, bakery, chemist, service station and a hotel.

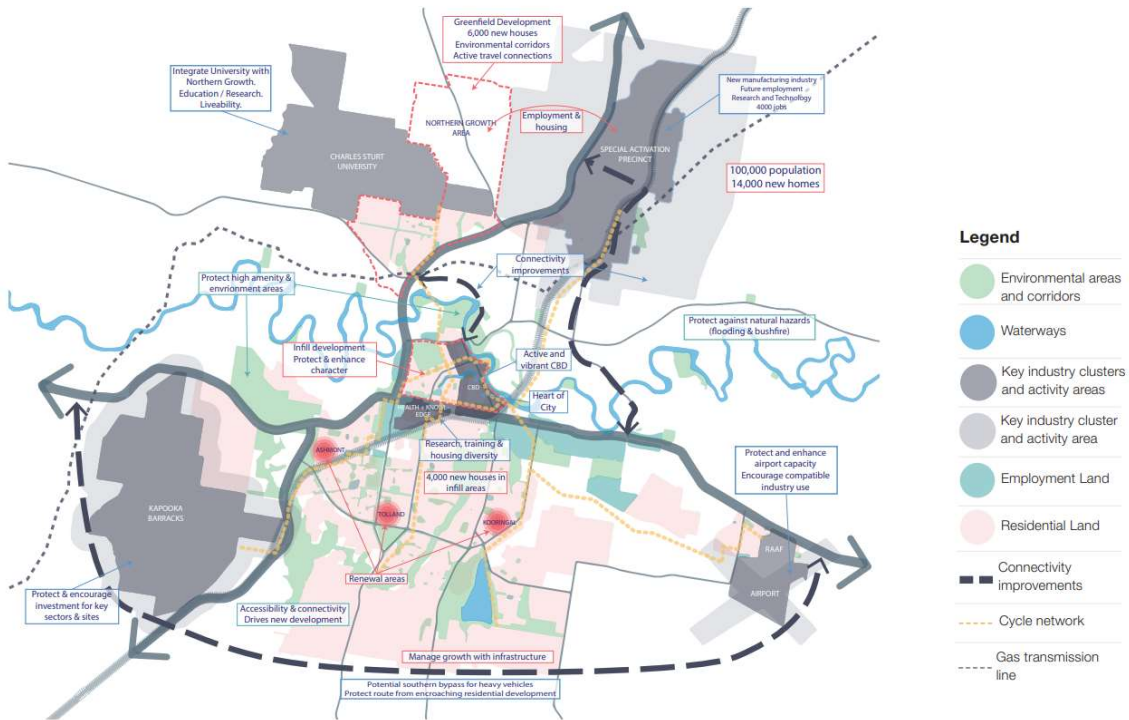


Figure 2 site context Tolland identified as an area for renewal (source Wagga Wagga LSPS) identified as a renewal area



Figure 3 site context (source: ePlanning Spatial Viewer)

2.3 Proposed development

The planning proposal seeks to redevelop the Tolland estate by rezoning most of the land within the precinct to the R1 General Residential zone. The use of the R1 General Residential zone will provide sufficient flexibility in the permitted land uses to allow the site layout to be reconfigured to improve accessibility, connectivity, open space, and housing diversity.

The proposal aims to provide approximately 500 new homes, including the provision of approximately 180 new social housing and 20 affordable dwellings and 292 private market housing. The redevelopment also seeks to reconfigure the local road network by connecting various cul de sacs to improve vehicular and pedestrian mobility through the site. The redevelopment of the site will also reconfigure, enhance and increase green open spaces within the site by providing a green link through the site to be used as public accessible open space.

The proposed redevelopment of the estate will reduce the number of social housing dwellings on the subject site by 47, however, these are proposed to be redistributed across the Wagga Wagga LGA and overall, the number of social housing dwellings within Wagga will not be reduced as a result of the proposed redevelopment.

2.4 Consultation

An integral part of the SAPP process involves consultation with the community and stakeholders. The Department will undertake consultation on the Tolland Estate Renewal proposal with relevant stakeholders, as follows:

- Landowners and adjoining property owners
- Land and Housing Corporation
- The Aboriginal Housing Office
- Wagga Wagga City Council
- Registered Aboriginal Parties
- Wagga Local Aboriginal Land Council
- Transport for NSW (TfNSW)
- Riverina Water
- Telstra
- APA Group (gas)
- NBN
- Energy, Energy and Science Group (EES).

2.5 Council exhibition of draft Tolland Concept Masterplan

Wagga Wagga City Council endorsed and exhibited a draft Concept Masterplan for the site between 11 September to 24 October 2023.

The exhibition material included a Tolland Renewal Project Exhibition Brochure, Draft Concept Masterplan and Draft Landscape Plan. These documents are on the Department's website as part of the proposal documentation.

The draft Concept Masterplan identifies the following key features:

- The introduction of a new public open space spine, from south-west to north-east, connecting to the existing Chambers Park and drainage corridor above Bruce Street.

- The provision of medium-density development adjacent to the existing and proposed open space, as well as in key interfaces.
- The creation of enhanced road connections, through the removal of several existing cul-de-sacs and delivery of through-streets.
- The proposed staging and an indicative timeframe.



Figure 4 Landscape Masterplan (source: Stantec)

3 Strategic assessment

3.1 Riverina Murray Regional Plan 2041

Wagga Wagga is situated in the Riverina Murray region of New South Wales. The proposed development is generally consistent with the following key objectives under the Plan:

- protect, connect, and enhance biodiversity throughout the region,
- support housing in regional cities and their sub-regions,
- ensure housing supply, diversity, affordability, and resilience,
- support Aboriginal aspirations through land use planning, and
- plan for resilient places that respect local character.

Full consideration of the proposal's consistency with The Riverina Murray Regional Plan 2041 can be found at **Appendix A**.

3.2 Local strategic documents

The proposal is consistent with the strategic direction and objectives of the following local plans and endorsed strategies.

3.2.1 Wagga Wagga Local Strategic Planning Statement

Wagga Wagga is the largest inland regional city in NSW and a key priority of the Local Strategic Planning Statement (LSPS) is balancing the need to provide additional homes for its growing population with the natural environment, sustainability, and liveability.

A key action for Council in the LSPS is to continue to collaborate and advocate for urban renewal opportunities with State and Federal Governments in key locations. The Tolland Estate is identified as one of three key locations for urban renewal.

The proposed redevelopment of the Tolland Estate is consistent with the Strategy's priorities to provide opportunities for housing diversity, affordability, liveability, and connectivity in an established community close to services, community, and recreation facilities. A full consideration of the proposal's consistency with the Wagga LSPS can be found at **Appendix B**.

3.2.2 Urban Cooling Strategy

The Urban Cooling Strategy seeks to encourage planning for more sustainable future developments and adapting existing areas to increase community health, wellbeing, and resilience. Mechanisms to achieve these outcomes include reducing heat by increasing green cover, providing artificial shade, using water in the landscape, minimising impervious surfaces, and using cool building materials.

The redevelopment of the Tolland Estate seeks to increase and enhance green spaces within the site. The proposal seeks to introduce a green corridor through the site, connecting to Jubilee Park south of the site. The proposal also seeks to retain notable trees, increase landscaping and street trees, and introduce shade sails in playgrounds. Future design is capable of using cool materials and surfaces and provisions encouraging their use can be introduced to the site specific DCP provisions.

4 Discussion of issues and planning considerations

It should be noted that the proposed reconfiguration of the site is indicative and may be subject to change based on land acquisition, mitigation measures and final design. The technical studies consider the sites attributes and have been used to inform and design the reconfiguration of the site.

The site is not bushfire prone land, does not comprise environmentally sensitive land or acid sulfate soils. The site is not subject to mine subsidence and the proposed development is highly unlikely to create a permanent or temporary change in water table depth.

4.1 Environmental

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

4.1.1 Connecting with Country

The traditional custodians of the subject site are the Wiradjuri people. The Wiradjuri people lived and continue to live in and around Wagga.

The Connecting to Country and Designing with Country Framework aim to promote engagement, consultation, and guidance with and from Aboriginal community groups and representatives and avenues to deliver positive outcomes for Country.

The Tolland Estate contains a significantly higher proportion of Aboriginal or Torres Strait Islander people in comparison to both the LGA and regional NSW. Consultation and engagement with residents and stakeholders have been an integral part of the design process for the redevelopment of Tolland Estate.

The Urban Design Report identifies mechanisms for recognising and embedding Aboriginal history and connection to Country within the renewal of the estate. These include indigenous street names, the inclusion of public art and sculptures in public spaces, the provision of native gardens, yarning spaces, and interpretive signage that explain the history of Tolland.

It is intended that these mechanisms will be embedded in the planning framework through the provision of DCP controls that require the ongoing consultation with Aboriginal people through the design process and the provision of all or some of these connections to Country.

4.1.2 Flooding

4.1.2.1 Preliminary Flooding Assessment

A Preliminary Flooding Assessment has been prepared in support of the proposed redevelopment which considers the condition of existing flooding and stormwater infrastructure within the site. The subject site contains no watercourses or waterbodies in their natural state, open drainage swales are located within both parks and there is an existing open channel traversing part of the eastern portion of the subject site.

One area of the site (area of interest) near Parkhurst Street and Lockett Place has been identified as flood affected from overland flow flooding, with flow arriving underground via the existing stormwater network and overland via flows along Parkhurst Street. **Refer to Figure 5.**



Figure 5 flood area of interest is shaded in red (source Preliminary Flood Assessment, prepared by GRC Hydro)

The preliminary flood impact assessment found:

- no adverse impacts on properties located outside of the subject site for events up to and including the 1% AEP flood event
- Localised changes in flood level along Dennis Crescent and the Lockett Place extension., however, flows will be able to be managed through appropriate road and stormwater design
- Localised increases in flood level are noted along the proposed Parkhurst Street extension. Flood hazard on this road would be low during the 1% AEP event but would be considered unsafe for small vehicles during the PMF. Road and stormwater design should be developed during later design stages to manage flood and drainage risks
- Localised increases in flood level are noted within the existing open channel directly downstream of the development, to the west of Wagga Wagga Brethren. The impacts are confined to the existing stormwater channel and do not adversely impact surrounding properties
- Generally reduced flood levels upstream of the site are noted around Parkhurst Street due to the addition of a large flood inlet structure
- A minor increase in flood level of less than 0.1 m is noted to affect the Wagga Wagga Brethren during the PMF and an area of impact of typically less than 0.03 m is noted during the PMF extending to properties to the north of Bruce Street.

Based on the modelling the report concluded the proposed design for the Tolland Estate is relatively low risk, however, further analysis will be required during the detailed design stages.

4.1.2.2 Local planning direction 4.1 Flooding

When assessing a proposal consideration must be given to Local Planning Direction 4.1 Flooding. This direction states a planning proposal must not rezone land within a flood planning area from recreation to residential or permit development in floodway areas. A proposal may be inconsistent with the direction, only if the Planning Secretary can be satisfied the proposal is in accordance with a floodplain risk management plan adopted by the relevant council or if the proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority.

The proposal is inconsistent with this Direction as the proposal is seeking to rezone land within a flood planning area from recreation to residential and to permit development in floodway areas. The proposal is not supported by sufficient information to justify the inconsistency.

Consequently, additional information to sufficiently address this direction is required. This information needs to demonstrate the development is not likely to result in a significant increase in dwelling density on the land or impacts to other properties, will not affect the safe occupation and efficient evacuation of the lot or result in significantly increased government spending on emergency management services and flood mitigation measures. The provision of maps clearly identifying the extent of the flood affected land for the 1% and PMF flood levels on both the existing and proposed land zones has also been requested.

4.1.3 Biodiversity

The subject site has been historically cleared and developed as a residential suburb. A Preliminary Biodiversity Assessment Report has been prepared in support of the proposed redevelopment which considers the condition and habitat values of the vegetation present within the public areas within the site. A draft Notable Tree Inventory was also prepared which assessed 'notable' tree specimens within the site.

4.1.3.1 Preliminary Biodiversity Assessment Report

The Biodiversity Assessment found the site and any proximal areas that could be directly or indirectly impacted is approximately 53 hectares, of which approximately 4.65 hectares is native vegetation.

The site comprises a mix of native and planted vegetation in public spaces made up of scattered remnant vegetation, planted native and non-locally native vegetation and a variety of exotic, ornamental planted tree, and shrub species. One area of scattered remnant trees, possibly previously forming part of a naturally occurring woodland, is located along Red Hill Road.

The area of remnant trees along Red Hill Road has been identified as Threatened Ecological Community *White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland*, listed as endangered under the *Biodiversity Conservation Act 2016*. However, no impacts to this community are anticipated as the existing vegetation buffers along Red Hill Road and Glenfield Road are proposed to be maintained.

The report found the site does not comprise mapped streams or wetlands, no migratory species, no hollow bearing trees, no areas of high biodiversity values and minimal connectivity for fauna species. Threatened flora or fauna species are not anticipated to occur in the subject land due to the disturbed and degraded habitat, the lack of habitat features and lack of connected habitat. The Grey-headed Flying Fox are known to forage in urban gardens and have been recorded in the broader area and is likely to opportunistically utilise foraging resources within the site.

The assessment identified the following potential impacts from the proposed development:

- Potential impacts to up to 2.98ha of planted native shrubs and trees within the public recreation area along Maher Street, assigned to PCT 346 to which is proposed to be re-zoned to facilitate the construction of future dwellings for the Tolland Renewal Project.

- Potential impacts to up to a further 0.18 ha of remnant native woodland conforming to PCT 266 and 2.4 ha of native planted vegetation assigned to PCT 277 located within the subject land, depending on the final design plans.
- Potential impacts to 1.68 ha of vegetation comprised of mixed exotic and native planted trees along streets and reserves.
- Potential impacts to the remaining 48.58 ha of existing residential lots, buildings, gardens, roadways, parklands, and infrastructure categorised as non-native vegetation.

The report found that given the low-quality species habitat present in the subject site, and with the application of appropriate safeguard and management measures and the avoidance and minimisation of impacts during detailed design, it is unlikely that the proposal will create a significant impact to threatened biota.

Further, the redevelopment aims to retain existing street and park trees where possible and new street trees will also be provided.

To confirm the findings of the assessment report are reasonable, consultation with the Environment, Energy and Science Group will be undertaken during the exhibition period.

4.1.3.2 Draft Notable Tree Inventory

The tree assessment identified, described, mapped, and recorded 43 'notable' tree specimens within the public areas across the site, although some trees visible from public thoroughfares have been documented. The report recommends the retention of these trees where possible.

4.1.4 Contamination

A Preliminary Site Investigation has been undertaken to provide information regarding potential contamination on the site and to provide a statement of site suitability for the redevelopment of the site.

The Report found the site has a history of broadacre agricultural use until then 1960s when the suburb of Tolland was developed. The Tolland Estate is characterised by houses made from a mix of brick veneer and fibrous sheeting, mostly built between the 1960s and 1990s.

The report found that based on past uses of the site contamination from chemicals associated with historic agricultural use and current weed and pesticide management, hazardous building materials, fill from unknown sources, dumped rubbish, and asphalt from roads on the site (coal tar and asbestos were commonly used in asphalt up until the 1980s) could potentially be present at the site.

Consequently, an Environment Management Plan has been prepared which details the nature and location of potential contamination and provides a framework for further investigation and assessment, including the preparation of a Detailed Site Investigation in the pre-development stage.

The Preliminary Site Investigation and Environmental Management Plan adequately considered contamination on the site and demonstrated the site can be remediated to be suitable for the proposed development.

4.1.5 Heritage

An Aboriginal & Historic Heritage Due Diligence Assessment Report has been prepared in support of the proposed redevelopment. The report found the subject site is a cleared landform which has been disturbed by long term suburban use, including the construction of residences, roads, parks, and other infrastructure.

4.1.5.1 Aboriginal

The report found the proposed works will have an impact on the ground surface, however, there are no previously recorded sites within the study area and the subject site does not contain landforms with identified archaeological sensitivity. Further there are no registered sites or landforms with identified archaeological sensitivity within or near the study area and no aboriginal objects were identified within the study area.

The report advises that the absence of identified Aboriginal objects is likely a result of the overall low archaeological sensitivity of the landscape as lower elevation landforms in the region, including the study area, were not a favoured part of Aboriginal occupation strategies. Additionally, the high level of impact to the natural landscape by urban development is likely to have disrupted any observable archaeological signature of past activities within the study area.

Consequently, the report concluded that while the proposed works will have an impact on the ground surface, it is unlikely that Aboriginal objects or intact archaeological deposits will be harmed by the proposal and determined an Aboriginal Heritage Impact Permit application is not necessary.

4.1.5.2 Historic heritage

No items with significant or local heritage values were identified within or adjoining the subject site.

4.2 Social and economic

4.2.1 Urban design

A Social and Community Assessment and an Urban Design Report have been prepared to support the need for the redesign and redevelopment of the Tolland Estate.

These reports found that the suburb of Tolland was developed in the 1970s and 1980s and consists of older social housing properties in a concentrated layout, that no longer meet modern amenity, accessibility, or sustainable standards. The estate is characterised by houses developed 'back-to-front' with the front of the housing facing communal green open space and the back door facing the street, resulting in a streetscape with rows of high blank fences enclosing backyards.

The proposal aims to redevelop the Tolland Estate into a modern, mixed tenure community. The redevelopment seeks to deliver new fit for purpose and low maintenance housing alongside community infrastructure, new streetscapes, roads, and pathways, new and improved lower maintenance public open spaces and an activated, safer public domain.

4.2.2 Provision of diverse and affordable housing

Affordable housing is essential for social equity and community wellbeing and the provision of affordable housing is a key priority for the NSW Government. Tolland Estate is an old social housing estate and large areas of the Estate are owned by LAHC and AHO. LAHC and AHO have partnered with Argyle Consortium (consisting of Argyle House, Birrabee House and BlueCHP), a not for profit, social housing provider, to renew the Tolland Estate, including the renewal of the existing social and affordable housing within the estate.

The distribution of social housing stock within the suburb is concentrated in the southwestern corner of the subject site. The urban renewal plan seeks to distribute the social housing stock within the suburb more evenly across the suburb and will be tenure blind (no indicators of the tenure type in the design and layout of the development).

The proposal seeks to provide a total of 679 dwellings and will result in an uplift of 292 dwellings. The redevelopment will deliver 180 social housing and 20 affordable housing dwellings. Existing dwellings will be demolished, and new homes will be built. New homes will provide a variety of housing densities and typologies and will include lots for sale to the private market, enabling

people to purchase and build their own home, as well as new, modern social and affordable housing that fits seamlessly into the local streetscape.

The proposals acceptance to the program will assist to fast track the delivery of new social and affordable homes.

4.3 Infrastructure

4.3.1 Transport Impacts

A Transport Assessment Report has been prepared to support the proposal. The Report assesses the anticipated traffic and transport implications of the proposed development on the local road network, the ability of the road network to accommodate the future demand generated by the proposed development and connectivity with active and public transport networks.

The subject site is bordered by Bourke Street, Glenfield Road, and Red Hill Road. Bourke Street is a classified Regional road and Glenfield Road functions as a sub arterial road. Both roads are aligned in a north south direction, and intersect with Red Hill Road, an east-west sub-arterial road located to the south of the subject site. Bruce Street acts as a collector road and allows both east and west access via Glenfield Road and Bourke Street. The remaining roads within the site are minor collector and local access roads, which feed from Bruce Street. **Refer to Figure 6.**

At a fundamental level the proposed access to the estate will remain same, however, the internal road network will be reconfigured to create connections between previous cul de sac road to improve the permeability of the site for walking, cycling and vehicle movements.



Figure 6 existing road network (source Nearmap)

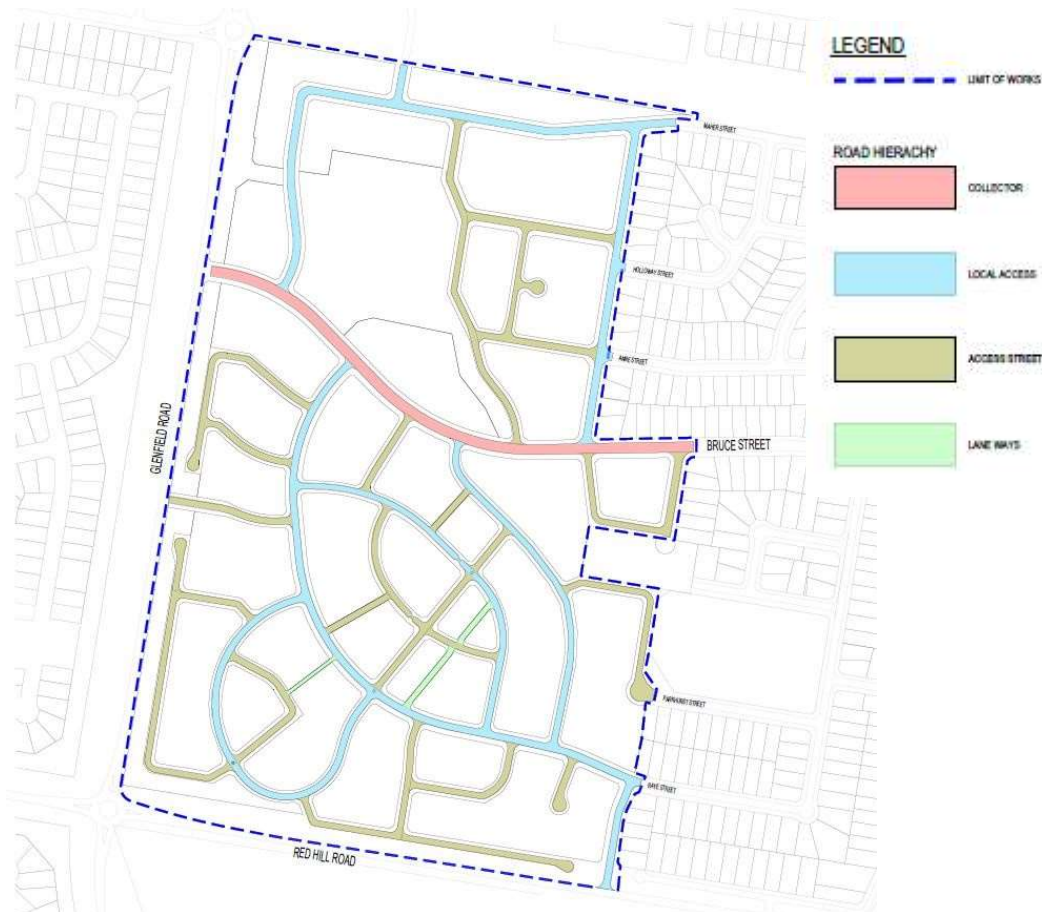


Figure 7 proposed road network (source Stantec Transport Impact Assessment Report)

4.3.1.1 Road network

The report found access to Tolland Estate will remain the same post development and the internal road network provides a similar function to the current network, however the proposed connections between cul de sacs will improve permeability of the site from a walking, cycling and vehicular perspective.

The Traffic analysis indicates that all intersections, except for the Bruce Street / Glenfield Road intersection, will operate well with limited queues and delays on all approaches under post development (+10 years) conditions. The one exception is the right turn movement at the intersection of Bruce Street and Glenfield Road during the AM and PM peak hours. While this movement is identified to operate above capacity, due to the uncertainty of future of upgrades to Glenfield Rd the report recommends it would be premature to undertake significant mitigation works to increase the capacity of the right turn movement from Bruce Street in Glenfield Road, particularly when alternate opportunities exist for drivers to exit the precinct to travel north.

To ensure adequate consideration has been given to traffic impacts, consultation with TfNSW will be undertaken as part of the consultation process.

4.3.1.2 Active transport

The assessment found walkability within the suburb was compromised by dead ends, missing links, insufficient lighting, narrow walkways, poor path condition and limited internal cycle connections.

To improve and revitalise the public open space within the estate, the proposal seeks to improve safety and connectivity through the provision of shared paths on Glenfield Road, Bruce Street and through the open space areas to tie into the existing Red Hill Road and Bourke Street links.

Dedicated footpaths are also proposed which will connect with existing active travel links and schools, shops, and recreational facilities.

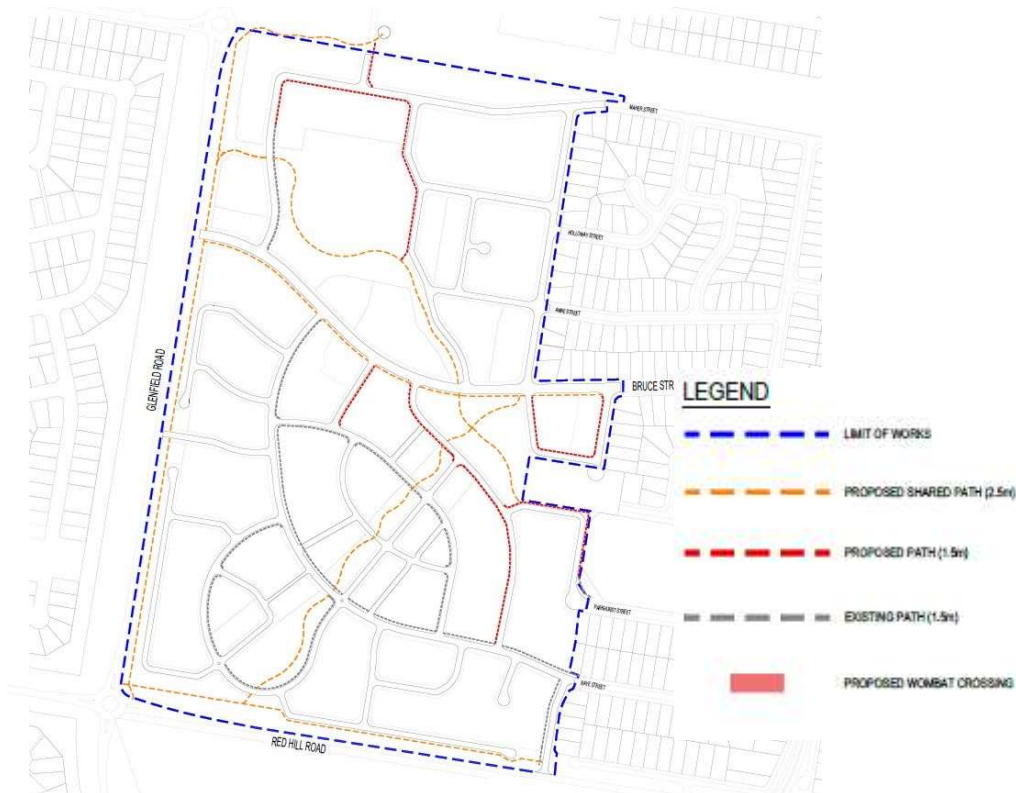


Figure 8 proposed active transport travel network (source Stantec Transport Impact Assessment Report)

To ensure adequate consideration has been given to active transport, consultation with TfNSW will be undertaken as part of the consultation process.

4.3.1.3 Public transport

The subject site is serviced by the 962 and 963 bus routes, which connect to Wagga town centre. The 962 route operates approximately every 30 minutes during weekdays and every hour during weekends and public holidays. The 963-route operates approximately every 40 minutes during the weekdays and every hour during weekends and public holidays.

These services will continue to operate, and the route and bus stops are not impacted by the redevelopment of the site.

4.3.2 Utilities

A Utilities Assessment Report has been prepared in support of the proposed redevelopment. The report found the subject site is a developed residential suburb with existing utility infrastructure. The report found that impacts from the proposed additional residential yield may require some services to be upgraded. The extension and augmentation of existing infrastructure will be delivered throughout the new road network to enable servicing of individual lots.

4.3.2.1 Electricity

The report found the existing electrical network, serviced by Essential Energy, has sufficient capacity to service the proposed redevelopment of the subject site, however an additional 3 - 5 substations will be required to service the residential uplift.

To confirm the findings of the assessment report, consultation with Essential Energy will be undertaken during the exhibition period.

4.3.2.2 Potable Water

The report has identified that the subject site is currently serviced by an existing potable water network owned and operated by Riverina Water. Due to the size of the existing infrastructure, it is expected the trunk and reticulation mains infrastructure will have sufficient pressure and capacity to service the proposed development.

To ensure potable water infrastructure is sufficient to service the proposed redevelopment, consultation with Riverina Water will be undertaken during the exhibition period.

4.3.2.3 Stormwater

Stormwater within the Tolland Estate is managed through a combination of pits and pipes, roads, swales and a detention basin for overland flow and high flow. The report identifies that the proposed development works will result in the sites impervious area increasing by up to 8% or 4-hectares, increasing stormwater runoff.

The report indicates the existing infrastructure does not appear to have sufficient capacity to fully service the existing estate within the piped network. Consultation with Wagga Council, as the relevant authority, is required to determine the capacity of the pipe infrastructure compared to the expected load, as well as consultation to develop a plan for contributions towards the upgrades of this infrastructure if required.

The report also notes that due to the increase in impervious area, the Chambers Park detention basin will also likely require upgrading to increase its capacity. Additionally, due to the proposed layout of the Tolland Estate, the detention basin will need to be relocated slightly to the west. Preliminary designs show that by moving the basin and increasing the height of the spillway the volume of the basin can be increased by nearly 50%.

The Department will undertake further consultation with Wagga Wagga city Council to determine the capacity of the network, the relocation of the basin and the need for any additional infrastructure resulting from the development to manage stormwater on the site. The adequate provision of stormwater will be required to be resolved prior to the land being rezoned.

4.3.2.4 Sewerage

The report has found that the subject site is adequately serviced by sewerage infrastructure, the proposed development is not anticipated to result in the existing infrastructure being exceeded.

To confirm the findings of the assessment report are reasonable, Wagga Wagga City Council, will be consulted during the exhibition period as the agency responsible for sewer.

4.3.2.5 Gas

Existing lots within the subject site are serviced by gas infrastructure. However, the new social and affordable dwellings are not proposed to be connected to the gas network. Consequently, it is anticipated that the existing network has sufficient capacity for the proposed development.

To ensure the network has capacity consultation with APA Group will be undertaken during the exhibition period.

4.3.2.6 Telecommunications and NBN

The report confirmed Tolland Estate is currently serviced by Telstra and NBN copper and fibre optic networks and that infrastructure upgrades to the Telstra network will be required, and that extension and augmentation of the existing pit and pipe network to follow the proposed road layout will be required. The report also recommended further investigation with Telstra's Network Integrity Group may be required for any future service or plant relocations.

To ensure the site has adequate telecommunications and NBN infrastructure, consultation with Telstra and NBN will be undertaken during the exhibition period.

5 Explanation of Intended Effect

The following sections provides an explanation of the intended statutory outcomes of the proposal which will be achieved using section 3.30(1)(a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposal seeks to amend the *Wagga Wagga Local Environmental Plan 2010* (LEP) via a self-repealing State Environmental Planning Policy (SEPP). The proposed amendments are outlined in **Table 1**.

5.1 Explanation of LEP provisions

The renewal of Tolland Estate will be achieved by amending the Wagga Wagga LEP 2010, as follows:

Table 1 Current and proposed controls

Control	Current	Proposed
Land Use Zone	R1 General Residential	No changes are proposed to land zoned R1 General Residential.
	E1 Local Centre	No changes are proposed to land zoned E1 Local Centre.
	R3 Medium Density	Retain the portion of land zoned R3 Medium Density adjoining the land zoned E1 Local Centre.
	RE1 Public Recreation	Rezone the remaining land zone R3 Medium Density to R1 General Residential.
		Rezone land zoned RE1 Public Recreation to R1 General Residential.
Maximum height of building	Not applicable	No change proposed.
Floor Space ratio	Not applicable	No change proposed.
Minimum lot size	Not applicable	No change proposed.
	N/A	Introduce a provision requiring future development to give effect to the masterplan.
	N/A	Introduce a clause and accompanying map that will require the provision of a certain amount of public open space within a general location.

5.2 Land zoning

The planning proposal seeks to rezone land identified as RE1 Public Recreation and most of the land zoned R3 General Residential within the precinct to R1 General Residential. The blanket use of the R1 General Residential zoning will provide LAHC the flexibility to reconfigure the allotments, the street network and open space layout to deliver new housing and improved green space and

road configuration. The open space within the subject site will be increased by 15,479m² from 52,066m² to 67,545m². The redevelopment is proposed to be staged over 12-years. At the completion of the redevelopment, the public open space will be identified on the land zoning map, which will be achieved by an additional amendment to the Wagga Wagga LEP 2010, to be undertaken by LAHC.

Flexibility in land zoning will assist LAHC to respond to ongoing land acquisition, dedication, offsetable works and overall timing of the redevelopment. To provide certainty that the redevelopment of the Tolland Estate will be consistent with the proposal, it is anticipated that a clause and accompanying map will be introduced into the Wagga Wagga LEP 2010. These provisions will require the provision of a certain amount of public open space within a general location. This will offer Wagga Wagga City Council and the public confidence that the proposed outcomes will be achieved at the end of the 12-year staged redevelopment.

5.2.1 R1 General Residential zone to allow flexibility in land use

The proposal seeks to rezone most of the land zoned R3 Medium Density Residential to R1 General Residential. The use of the R1 General Residential zone could be perceived as a down zoning, however, the land use tables under the Wagga Wagga LEP 2010 specify land uses as permitted, if the use is not prohibited, and neither zone prohibits any form of residential accommodation (except for 'rural workers' dwellings'). While both land zones allow the same residential uses, by not prohibiting them, the R1 General Residential zone specifically, permits, with consent, a broader range of residential uses across the site which supports the redevelopment and renewal of diverse housing stock across the site.

The Wagga Wagga DCP 2010 does encourage medium density development on main roads and adjacent to community facilities, transport routes and public spaces. The concept masterplan shows areas of higher density development in areas adjacent to open space and the community centre.

A table considering the permitted and prohibited land uses in the R1 General Residential and R3 Medium Density Residential land zones, under the Wagga Wagga LEP 2010, is at **Appendix C**.

5.2.2 Public open space and reclassification of land

The proposal seeks to increase open space within the subject site by 15,479m² from 52,066m² to 67,545m². An indicative configuration of open space can be seen at **Figures 11 and 12**. The expansion and reconfiguration of RE1 Public Recreation will result in improved open space outcomes including a green corridor through the site, linking existing parks with Jubilee Park south of the site. Land identified as RE1 Public Recreation is proposed to be zoned to R1 General Residential, to allow flexibility in the design process and to enable ongoing land acquisition and dedication.

5.2.2.1 Land reclassification

Land zoned RE1 Public Recreation is generally public land managed by Council. All land owned by Council must be classified as either operational or community land. Operational land applies to council owned land for works depot and is not generally available for public use. Community land is generally land made available for public use such as parks, reserves or sports grounds and cannot be sold or exchanged by Council, without Council preparing a planning proposal to reclassify the land.

However, the land zoned RE1 Public Recreation is being acquired by LAHC (to renew and improve the site) and consequently, the land will no longer be owned by Council, and the community land classification will no longer apply. As the land will be owned by LAHC, the land does not need to be reclassified to enable the redevelopment and rezoning of the subject site.

5.2.2.2 Local planning direction 5.2 Reserving land for public purposes

When preparing a proposal that seeks to alter land identified for public purpose, consideration must be given Local Planning Direction 5.2 Reserving land for public purposes. The Direction states that a proposal must not alter or reduce existing zonings or reservations of land for public purposes, without the approval of the Planning Secretary. A proposal may be inconsistent with this direction if it can satisfy the Planning Secretary that the inconsistency is of minor insignificance.

The RE1 Public Recreation land zone is being altered to the R1 General Residential zone to enable flexibility in the design process. Overall open space within the site is proposed to increase from 15,479m² from 52,066m² to 67,545m² and will deliver improved open space outcomes, including a green corridor through the site, redeveloped and enhanced parks, active travel paths, and an increase in street trees and vegetation.

The Department, LAHC and the Council are considering options to realise the delivery of the public open space on the site, such as via a site-specific provision in the Wagga Wagga LEP or through non-statutory mechanisms (e.g. a planning agreement).

Consequently, any inconsistency with this Direction, is considered of minor significance.

5.2.2.3 Provision requiring future development to give effect to the masterplan

A clause requiring future development to give effect to the masterplan will be introduced to the Wagga Wagga LEP 2010, to ensure future development is consistent with the intent of the masterplan.

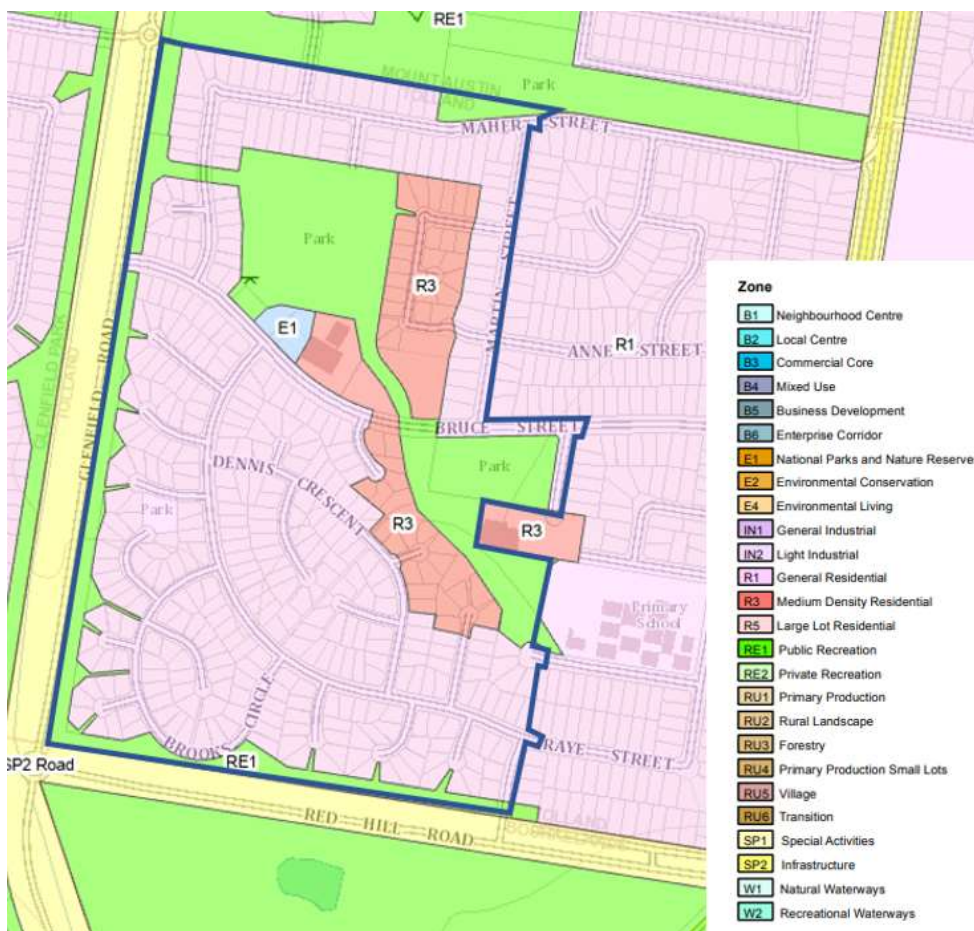


Figure 9 Current zoning map (source: ePlanning Spatial Viewer)



Figure 10 Proposed zoning map (Stantec planning proposal)



Figure 11 Proposed neighbourhood masterplan, showing indicative layout of the reconfigured open space (Stantec planning proposal)

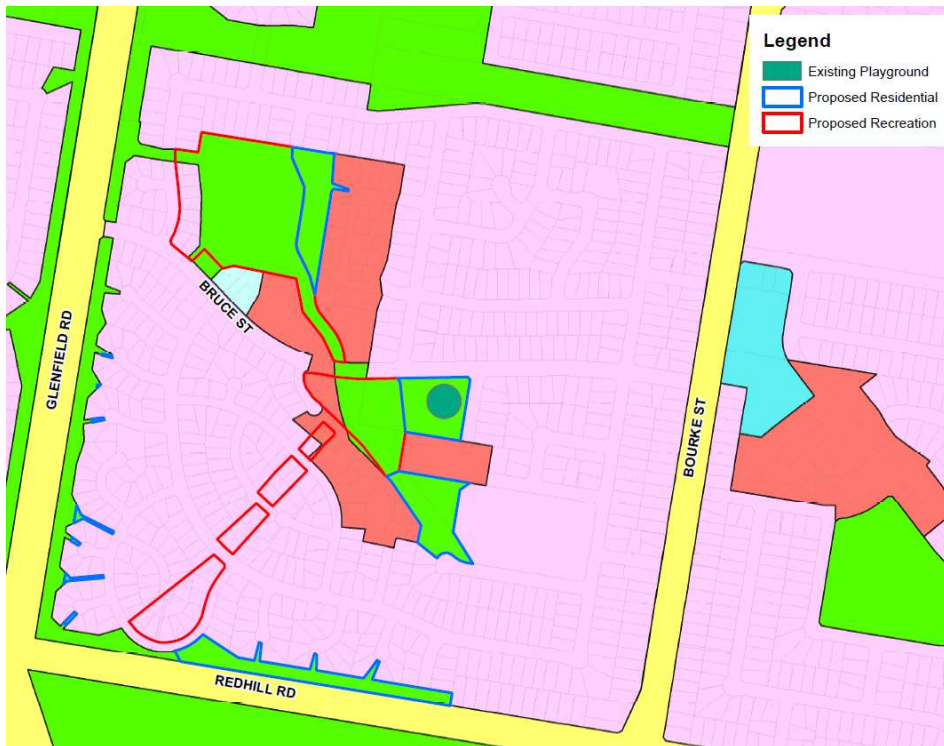


Figure 12 land zoning map showing existing and proposed recreation land (Stantec)

5.3 Other controls

The following clauses apply to the site under the Wagga Wagga LEP 2010. No changes are proposed to these clauses however, these clauses have been considered in planning for the renewal of the Tolland Estate.

Table 2 Consideration of controls that apply to the site

Clause	Consideration of this clause
Clause 5.21 Flood planning seeks to minimise the flood risk to life and property.	Flooding is considered and addressed under section 4.1.2.
Clause 7.3 Biodiversity seeks to protect, maintain, or improve the diversity of native vegetation.	Biodiversity is considered and addressed under section 4.1.3
Clause 7.4 Vulnerable land seeks to protect, maintain, or improve the diversity and stability of landscapes by requiring development to consider slope, soil salinity, native vegetation, and rock outcropping.	The site is not subject to steep slopes, salinity, rock outcropping, or high erosion potential.
Clause 7.6 Goundwater vulnerability seeks to protect and preserve groundwater sources.	Impacts to groundwater will be considered at the development consent stage.

5.4 Wagga Wagga Development Control Plan 2010

Wagga Wagga Development Control Plan 2010 (DCP) provides the additional detailed development controls which apply to development across the Wagga Wagga Local Government Area (LGA). The general controls contained within the DCP provide a framework for future development. This framework will be expanded upon to include precinct specific DCP controls with Indicative Layout Plan, following endorsement of the masterplan and it is anticipated to be resolved prior to finalising the amendment to the Wagga Wagga LEP.

However minimum lot size provisions or land area provisions are listed in the Wagga Wagga Development Control Plan (DCP). These are outlined in the **Table 3**.

The proposal delivers minimum lot sizes that range from a minimum of approximately 180m² to 850m². The areas with lower lot sizes, which is likely to deliver medium density development, are generally located adjacent to areas of amenity.

The densities proposed are generally consistent with Councils DCP land area provisions and controls which encourage medium density in areas of amenity.

Table 3 Wagga Wagga DCP 2010 Land area per dwelling controls

Dwelling Type	Land area per dwelling	
	R1 Zone (Min)	R3 Zone (Max)
Single dwellings	400m ²	300m ²
Dual occupancy/attached dwellings	375 m ²	300m ²
Multi-dwelling housing	375 m ²	350m ²
Residential flat buildings	375 m ²	350m ²

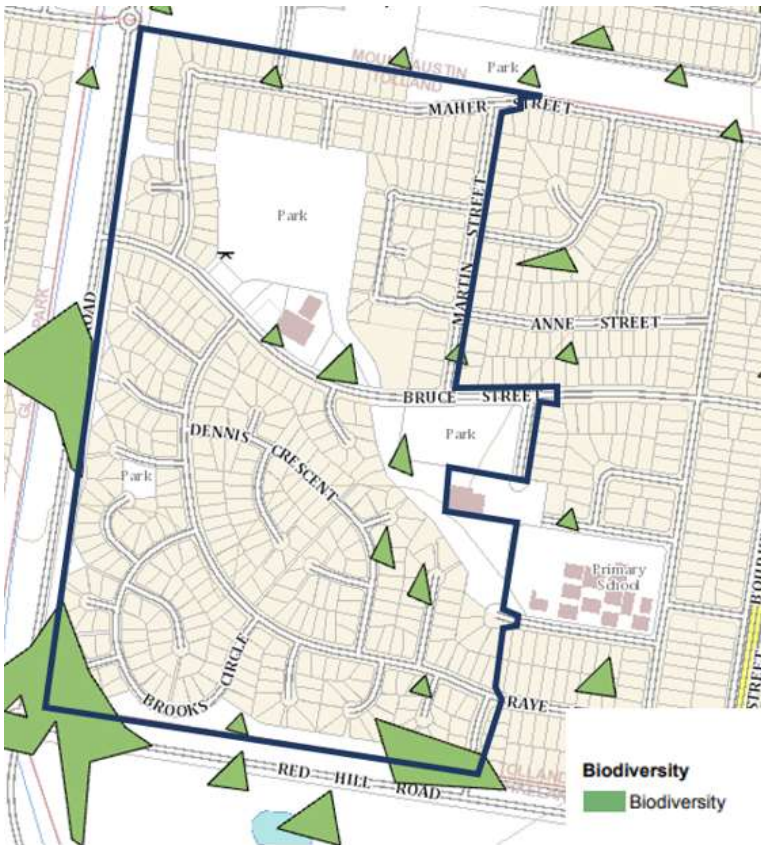


Figure 13 existing terrestrial biodiversity (source: ePlanning Spatial Viewer)

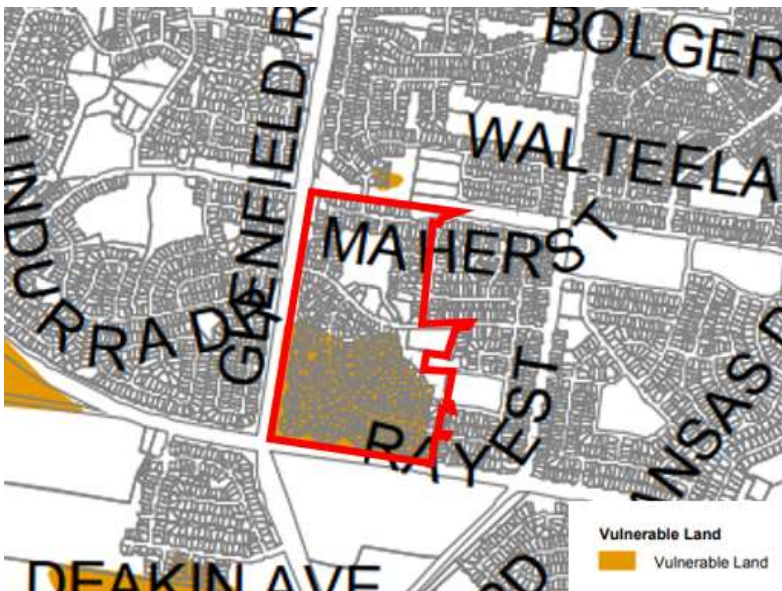


Figure 14 existing vulnerable land (source: Wagga Wagga LEP 2010 Vulnerable Land Map)

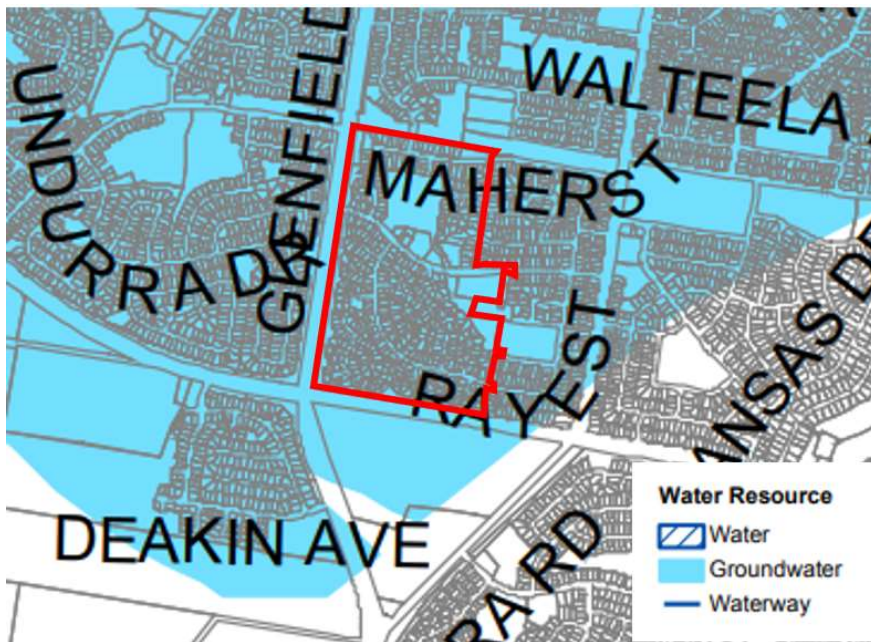


Figure 15 existing groundwater (source: Wagga Wagga LEP 2010 Water Resource Map)

5.5 Contributions

There is no planning agreement currently in place for the site. The Wagga Wagga Local Infrastructure Contributions Plan 2019-2034 excludes social and affordable housing and seniors housing provided by a social housing provider from the payment of Local Infrastructure Contributions under Sections 7.11 and 7.12 of the Environmental Planning and Assessment Act:

However, as the renewal of the estate aims to increase and renew the amount and quality of public open space within the precinct and reconfigure drainage and stormwater infrastructure, contributions towards the delivery of required infrastructure to support the proposed development on the site will be required.

The proposal indicates LAHC intends to enter into a binding agreement with Wagga Wagga City Council for the provision and dedication of open space, ensuring that the intention of the masterplan will be delivered. A letter of offer has been provided to Council to outline the intent of the agreement. The terms of agreement are currently under negotiation with Council and is anticipated to be resolved prior to gazettal.

6 Consistency with relevant legislation and policies

6.1 Local Planning Directions

Except for Local Planning Direction 4.1 Flooding the planning proposal is consistent with the relevant section 9.1 Directions. A full consideration of the proposal's consistency with the Section 9.1 Directions can be found at **Appendix D**.

6.1.1 Local planning direction 4.1 Flooding

This direction states a planning proposal must not rezone land within a flood planning area from recreation to residential or permit development in floodway areas. The Direction also states that a proposal may be inconsistent if the Planning Secretary can be satisfied the proposal is in accordance with a floodplain risk management plan adopted by the relevant council or if the

proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority.

The proposal is seeking to rezone land within a flood planning area from recreation to residential and seeks to permit development in floodway areas. Consequently, the proposal is inconsistent with this Direction and is not supported by sufficient information to justify the inconsistency.

To demonstrate consistency with this Directional additional information on flooding has been requested to show the development is not likely to result in a significant increase in dwelling density on the land or impacts to other properties and will not affect the safe occupation and efficient evacuation of the lot or result or significantly increased government spending on emergency management services and flood mitigation measures.

This information will be required prior to the planning proposal being finalised to allow the Planning Secretary to be satisfied that any inconsistencies with this Direction are minor.

6.1.2 Local planning direction 5.2 Reserving land for public purposes

The proposal is inconsistent with this direction as it seeks to alter land identified for public purpose. A proposal may be inconsistent with this direction if it can satisfy the Planning Secretary that the inconsistency is of minor insignificance.

As the overall open space within the site is proposed to increase from 15,479m² from 52,066m² to 67,545m² to deliver improved open space outcomes and will the provision and dedication of open space within the site will be delivered through a planning agreement, any inconsistency with this direction is considered to be of minor significance.

6.2 State Environmental Planning Policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs. A full consideration of the proposal's consistency with the SEPPs can be found at **Appendix E**.

Appendix A The Riverina Murray Regional Plan 2041 assessment

Regional Plan Objectives	Justification
Objective 1: Protect, connect, and enhance biodiversity throughout the region	The proposed development is generally consistent with this objective as the proposal seeks to retain existing trees, increase green space and vegetation and across the site, including the addition of new trees, as well as creating landscaped linkages through the open space areas to create a green corridor through the site. The links and green corridor will connect with existing road and street linkages and Jubilee Park. This will assist to increase amenity, tree canopy, community health, well-being, and cohesion, and will mitigate hazards such as urban heat, and encourage active transport.
Objective 3: Increase natural hazard resilience	The proposal is consistent with this objective as the proposed development seeks to reconfigure and increase the open space within the precinct to deliver new and improved open space and recreation areas. Houses will be orientated towards parks and the open space has been designed to provide a high level of connectivity to and through the site and landscaping has been proposed on all linkages within the site.
Objective 4: Support Aboriginal aspirations through land use planning	The renewal of Tolland Estate is being undertaken by LAHC and AHO and consultation and engagement with residents and stakeholders has been an integral part of the design process. Feedback found that 21% of participants identified as Aboriginal and that survey results showed support for the provision of a mix of housing as well as improvements to green space, roads, and footpaths. Further consultation will be done with Aboriginal stakeholders throughout the rezoning process.
Objective 5: Ensure Housing Supply, diversity, affordability, and resilience	The proposal is consistent with this Direction as it seeks to provide a variety of housing densities and tenure blind typologies through a mix of social, affordable, seniors and private houses.
Objective 6: Support housing in regional cities and their sub-regions	The proposal is consistent with this objective. The proposal seeks to revitalise and renew the existing suburb of Tolland, situated 4km from Wagga town centre and the design of the redevelopment is a result of master planning.
Objective 7: Plan for resilient places that respect local character	The proposal is consistent with this direction as the proposed development seeks to revitalise the suburb of Tolland by providing a mix of single and two storey social, affordable, seniors and private housing. The redevelopment also features the reconfiguration and expansion of open space and increased canopy cover to improve resilience, connectivity, usability, safety, and amenity.

Appendix B Local strategic documents

Wagga Wagga Local Strategic Planning Statement	
Local Strategies	Justification
Increase resilience to natural hazards and land constraints	This principle identifies the removal of vegetation and increases in hard surfaces can increase urban heat reducing amenity and liveability. The proposal is considered consistent with this principle as it seeks to green the precinct by increasing and improving the open space within the precinct. Green space will be reconfigured and expanded to create connected green space corridors, revitalising park and play areas, and by improving drainage reserves, riparian corridors, and landscaping to improve amenity and assist to offset urban heat and mitigate flood risk.
Manage growth sustainably	The proposal is consistent with this principle as the proposal is an infill development that will redevelop the existing Tolland Estate. The proposed development will assist to increase housing in a sustainable way, leveraging existing services and infrastructure and will assist to reduce development pressure on greenfield, agricultural or areas of biodiversity within Wagga.
Connected and accessible city	This principle seeks to encourage connectivity across the city, reducing travel time and congestion and increasing sustainability, amenity, active travel choices and community health. The redevelopment of the Tolland Estate is consistent with this principle as the masterplan seeks to provide a landscape network of footpaths, shared paths and open space throughout the precinct which will connect with Councils existing active travel paths and broader open space network. The internal road network will also be improved to achieve vehicle continuity providing improved pedestrian, active and vehicle connectivity to the existing road network, schools, shops, social infrastructure, and recreational facilities.
Promoting a healthy lifestyle	This priority identifies that the provision of diverse housing, close to shops, services, recreation, and open space facilities is linked to improved socio-economic outcomes and well-connected communities. The proposal aligns with this principle as the redevelopment of the Tolland Estate will create additional housing type and tenure, recreation, and open space close to shops, services, and health care. The redevelopment also seeks to increase and improve open space, play areas, parks, and landscaping within the precinct.
Providing a diversity of housing	This priority acknowledges growth in urban infill areas will assist to provide housing supply including smaller housing types in suitable locations close to the town centre, and transport corridors. The redevelopment of the Tolland Estate is an infill development that seeks to provide a variety of housing densities and typologies through a mix of social, affordable, seniors and private houses.

Appendix C Zone objectives and permitted and prohibited residential land uses in the R1 General Residential and R3 Medium Density Residential land zones under the Wagga Wagga LEP 2010

Zone	Zone Objectives	Consistency
R1 General Residential	To provide for the housing needs of the community.	Consistent.
	To provide for a variety of housing types and densities.	Consistent – The R1 zone, permits with consent, the broadest range of residential land uses.
	To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Consistent.
	To ensure co-ordinated and cost-effective provision of physical, social, and cultural infrastructure in new residential areas.	N/A this is not a new residential area.

Types of residential accommodation	R1 General Residential (permitted with consent)	R3 Medium Density Residential (permitted with consent)	R1 General Residential (prohibited)	R3 Medium Density Residential (prohibited)
Attached dwellings	✓	✓	N/A	N/A
Boarding houses	✓	✓	N/A	N/A
Co-living			x	x
Dual occupancies			x	x
Dwelling houses	✓		N/A	x
Hostels	✓		N/A	x
Group homes	✓		N/A	x
Multi dwelling housing	✓	✓	N/A	N/A
Residential flat buildings	✓		N/A	N/A
Rural workers' dwellings			✓	✓

Types of residential accommodation	R1 General Residential (permitted with consent)	R3 Medium Density Residential (permitted with consent)	R1 General Residential (prohibited)	R3 Medium Density Residential (prohibited)
Secondary dwellings			x	x
Semi-detached dwellings	✓		N/A	x
Seniors Housing	✓	✓	N/A	N/A
Shop top housing	✓		N/A	x
Any other development not specific as prohibited				

Appendix D Local Planning Direction assessment

The table below considers the Local Planning Directions issued by the Minister under section 9.1(2) of the *Environmental Planning and Assessment Act 1979*.

The proposal is consistent with the relevant 9.1 directions, except 4.1 Flooding which remains unresolved until further justification has been provided.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Consistent	<p>Consistent - The objective of this direction is to give legal effect to the vision, land use strategy, goals, direction, and actions contained in Regional Plans.</p> <p>The proposal gives effect to and is consistent with the vision, directions and actions contained within the Riverina Murray Regional Plan 2041. A full consideration of the proposals consistency with the plan can be found at Appendix B.</p>
1.2 Development of Aboriginal Land Council land	N/A	This direction is not relevant as site is not identified as being land subject to this direction.
1.3 Approval and Referral Requirements	Y	<p>Consistent – the objective of this direction is to ensure LEP provisions encourage efficient and appropriate assessment of development.</p> <p>The proposal is consistent as it does not include provisions requiring concurrence, consultation or referral of a Minister or public authority.</p>
1.4 Site Specific Provisions	Y	<p>Consistent - The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</p> <p>The Proposal is consistent with this direction as it will rezone the site to a zone listed under the Wagga Wagga Local Environmental Plan 2010 and the proposal is not imposing development standards or requirements not already contained in that zone.</p>
Focus area 2: Planning Systems – Place-based		
1.5 – 1.22	N/A	These directions do not apply to the subject site.
Focus area 2: Design and Place – this focus area was blank when the Directions were made.		
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	This direction does not apply as the proposal does not contain land within a conservation zone.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
3.2 Heritage Conservation	Y	<p>Consistent - The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>An Aboriginal & Historic Heritage Due Diligence Assessment Report was prepared to support the proposal. The report found:</p> <ul style="list-style-type: none"> the site did not contain any Aboriginal objects or intact archaeological deposits, and there are no items with significant or local heritage values were identified within or adjoining the subject site. <p>The proposal is considered consistent with this direction.</p>
3.3 Sydney Drinking Water Catchments	N/A	The subject land is not located within a Sydney drinking water catchment, consequently this direction does not apply.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	The site is not located on the NSW far north coast; therefore, this direction does not apply.
3.5 Recreation Vehicle Areas	N/A	This direction is not relevant as the subject site does not comprise sensitive land or land with significant conservation values.
3.6 Strategic Conservation Planning	N/A	The subject land is not identified under State Environmental Planning Policy (Biodiversity and Conservation) 2021, therefore this direction does not apply.
3.7 Public Bushland	N/A	The subject site is not identified as land to which this direction applies.
3.8 Willandra Lakes Region	N/A	This subject site is not within the Willandra Lakes Region and consequently this direction does not apply.
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	This subject land is not located within the Sydney Harbour Foreshores and Waterways Areas and therefore the direction does not apply.
3.10 Water Catchment Protection	Y	<p>Consistent - The objective of this Direction is to protect water quality in the water catchment.</p> <p>The Proposal is consistent with this direction as it is expected that any residential and associated development across the broader site would have a neutral or beneficial effect on water quality.</p>

Focus area 4: Resilience and hazard

4.1 Flooding	Y	Inconsistent – The objective of this direction is to ensure development on flood prone land is consistent with relevant flood
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Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>policies and to ensure the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and include consideration of the potential flood impacts both on and off the subject land.</p> <p>This direction states a planning proposal must not rezone land within a flood planning area from recreation to residential or permit development in floodway areas. A proposal may be inconsistent only if the Planning Secretary can be satisfied the proposal is in accordance with a floodplain risk management plan adopted by the relevant council or if the proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority.</p> <p>The proposal is inconsistent with this Direction as the proposal is seeking to rezone land within a flood planning area from recreation to residential and seeks to permit development in floodway areas. The proposal is not supported by sufficient information to justify the inconsistency.</p> <p>Consequently, additional consideration of flooding has been requested to be prepared and provided. This information is to demonstrate the development is not likely to result in a significant increase in dwelling density on the land or impacts to other properties, will not affect the safe occupation and efficient evacuation of the lot or result in significantly increased government spending on emergency management services and flood mitigation measures.</p>
4.2 Coastal Management	N/A	This direction does not apply as the site is not within a coastal zone.
4.3 Planning for Bushfire Protection	N/A	This direction does not apply as the site is not mapped as bushfire prone land.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
4.4 Remediation of Contaminated Land	Y	<p>Consistent – This direction requires the planning proposal authority to consider whether the land is contaminated and if contaminated, the planning proposal authority must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the proposed residential development.</p> <p>The accompanying contamination report identified the potential for contamination to be present on the site and recommended further work be undertaken.</p> <p>Consequently, an Environment Management Plan (EMP) and a Materials Management Plan have been provided. The EMP details the nature and location of potential contamination and provides a framework for further investigation and assessment including the preparation of a Detailed Site Investigation in the pre-development stage.</p> <p>The EMP demonstrates that the land will be suitable after remediation for the proposed redevelopment and satisfies the objective of this direction.</p>
4.5 Acid Sulphate Soils	Y	<p>Consistent - The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>A preliminary Acid Sulfate Soil Assessment was prepared to support the proposal and it concluded that acid sulfate soils are unlikely to be present within the subject site. Consequently, the proposed development is consistent with this direction.</p>
4.6 Mine Subsidence and Unstable Land	N/A	The site is not within a declared mine subsidence district, consequently this direction does not apply.

Focus area 5: Transport and infrastructure

5.1 Integrating Land Use and Transport	Y	<p>Consistent – The intent of this direction is to ensure that development seeks to reduce car dependency and promotes active and public transport uses.</p> <p>The proposal is consistent as the proposed redevelopment will improve street layout, provide footpaths and active share paths and increase and promote connectivity within the site and to existing parks, share paths and public transport routes.</p>
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Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
5.2 Reserving Land for Public Purposes	Y	<p>Consistent – This direction applies as the proposal seeks to alter land identified for public purpose by removing the existing the RE1 Public Recreation land zoning. A proposal may be inconsistent with this direction if it can satisfy the Planning Secretary that the inconsistency is of minor insignificance.</p> <p>The RE1 Public Recreation land zone is being altered to the R1 General Residential zone to enable flexibility in the design process however overall, the open space is proposed to increase from 15,479m² from 52,066m² to 67,545m². Council and the landowners will enter into a binding agreement to ensure the land identified for open space is zoned RE1 Public Recreation in the future.</p>
5.3 Development Near Regulated Airports and Defence Airfields	N/A	This direction does not apply as the subject land is not situated near a regulated airport.
5.4 Shooting Ranges	N/A	The subject site is not on land adjacent to and/ or adjoining an existing shooting range, therefore this direction does not apply.

Focus Area 6: Housing

6.1 Residential zones	Y	<p>Consistent – This direction seeks to encourage a variety and choice of housing types that leverage from existing infrastructure and services.</p> <p>The proposal is consistent with this direction as it seeks to broaden the choice of building types, will not result in additional consumption of land for housing and will make efficient use of existing infrastructure and services.</p>
6.2 Caravan Parks and Manufactured Home Estates	N/A	The proposal is not proposing development for the purposes of a caravan park or manufactured home estate, consequently this direction does not apply.

Focus area 7: Industry and Employment

7.1 Employment Zones	N/A	This direction is not relevant as the proposed development will not affect land zoned for employment uses.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	This direction applies to Byron Shire Council, therefore does not apply.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	As this direction applies to land located along the Pacific Highway, North Coast, it is not relevant to this development.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Focus area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	The proposal will not impede upon known state or regionally significant reserves of coal, other minerals, petroleum, and extractive materials.
Focus area 9: Primary Production		
9.1 Rural Zones	N/A	This direction is not relevant as it does not apply to the Wagga Wagga LGA.
9.2 Rural Lands	N/A	The proposal will not affect land within an existing or proposed rural or conservation zone. Consequently, this Direction does not apply.
9.3 Oyster Aquaculture	N/A	The Direction does not apply as the subject land is not located within a 'Priority Oyster Aquaculture Area'.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	This subject site is not farmland of state and regional significance on the NSW Far North Coast and consequently does not apply.

Appendix E Assessment of planning proposal against relevant SEPPs

SEPPs	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021	N/A	This SEPP is not relevant as the site is not: <ul style="list-style-type: none"> • listed as a non-rural area, • Koala Habitat, • River Murray lands, • listed water catchment area, or • strategic conservation planning area.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N/A	This is a matter for the development assessment process.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	This is a matter for the development assessment process.
State Environmental Planning Policy (Housing) 2021	Consistent	<p>This SEPP seeks to enable the development of diverse housing that provides a reasonable level of amenity and meets the needs of more vulnerable members of the community. The SEPP also aims to utilise existing infrastructure and minimise climate and environment impacts.</p> <p>The proposal seeks to redevelop the Tolland residential estate, by renewing the housing to provide a range of fit for purpose, tenure blind, private, social and affordable housing. Approximately 39% of the proposed housing will be social, affordable or seniors housing. The redevelopment seeks to utilise existing infrastructure and will improve road connectivity and open space to improve the layout and amenity of the suburb. The proposed development is generally consistent with this SEPP.</p>
State Environmental Planning Policy (Industry and Employment) 2021	N/A	This SEPP is not relevant as the site is not: <ul style="list-style-type: none"> • in the Western Sydney Employment Area, • proposing advertising or signage.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	N/A	This is a matter for the development assessment process.
State Environmental Planning Policy (Planning Systems) 2021	N/A	The development is not considered Regionally Significant.

SEPPs	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
State Environmental Planning Policy (Precincts—Central River City) 2021	N/A	The SEPP does not apply as site is not located in the Central River City.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	N/A	The SEPP is not relevant as the site is not located in the Eastern Harbour City.
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	This SEPP does not apply as the site is not identified as a state significant precinct.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	N/A	The SEPP does not apply as the site is not located in the Western Parklands City.
State Environmental Planning Policy (Primary Production) 2021	N/A	This SEPP is not relevant as the site is zoned residential and is not identified for primary production.
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent	<p>Chapter 4 Remediation of the SEPP applies to this site. The SEPP aims to promote remediation of contaminated land and specifies certain conditions that are relevant to rezoning land.</p> <p>The proposal is accompanied by an Environment Management Plan which details the nature and location of potential contamination and recommends the preparation of a Detailed Site Investigation in the pre-development stage. The assessment of contamination is considered satisfactory for this stage of the planning pathway.</p>
State Environmental Planning Policy (Resources and Energy) 2021	N/A	The SEPP does not apply as the site is residential and not subject to mining, petroleum production or extractive industries.
State Environmental Planning Policy (Sustainable Buildings) 2022	N/A	This is a matter for the development assessment process.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consistent	Division 17 Roads and road infrastructure facilities applies to this site. The SEPP provides guidance on development of roads or in or adjacent to road corridors or road reserves. The proposed development seeks to reconfigure the local road layout, which is development permitted without consent under this SEPP and provides controls to ensure new development does not compromise the operation of classified roads.