

Wagga Wagga Special Activation Precinct



Stage 1 Delivery Plan
July 2022



The Wagga Wagga Special Activation Precinct builds on the Riverina region's reputation as NSW's 'food bowl' and existing transport links.

Acknowledgement of Country

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, living in Condobolin, Peak Hill, Narrandera and Griffith. There are significant populations at Leeton and smaller groups at West Wyalong, Parkes, Dubbo, Forbes, Cootamundra, Cowra and Young.

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.



Cover image:
Riverinal Oils, Wagga Wagga



Aerial overlooking the city of Wagga Wagga and the Murrumbidgee River
Courtesy of Destination NSW

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Introduction



Canola fields in Wagga Wagga



This section provides an overview of Special Activation Precincts, the role of a delivery plan and how to use this document.

- 1.1 What is a Special Activation Precinct?
- 1.2 What is the role of Regional Growth NSW Development Corporation?
- 1.3 What is a delivery plan?
- 1.4 Vision and aspirations for Wagga Wagga Special Activation Precinct
- 1.5 Wagga Wagga Special Activation Precinct Master Plan
- 1.6 Approval pathways
- 1.7 Activation Precinct Certification process
- 1.8 Proposal documentation requirements
- 1.9 Proposal referrals and concurrences

1.1 What is a Special Activation Precinct?

Special Activation Precincts are dedicated areas within regional NSW which have been identified by the NSW Government. They bring together planning and investment support services to drive jobs and economic activity.



Foundations for Special Activation Precincts



Government-led studies



Streamlined planning



Government-led development



Infrastructure investment



Business Concierge

Special Activation Precincts will create jobs, attract businesses and investors and fuel economic development to meet the needs of regional communities.

The planning and delivery of Special Activation Precincts is underpinned by extensive environmental and infrastructure investigations which inform the master plan.

Special Activation Precincts offer streamlined planning approvals, government-funded infrastructure and business support services to reduce the time and cost of setting up business.

Special Activation Precincts offer businesses confidence with the right planning framework and infrastructure investment in place.



Livestock Marketing Centre
Courtesy of Wagga Wagga
City Council

1.2 What is the role of Regional Growth NSW Development Corporation?



Regional Growth NSW Development corporation will support investors and businesses, cutting red tape with simplified approval processes to enable businesses to set-up faster in Special Activation Precincts in regional NSW.

The Regional Growth NSW Development Corporation (the corporation) offers business concierge services for end-to-end development within Special Activation Precincts. The corporation's goal is to deliver commercially successful Special Activation Precincts that boost economic development and job growth in regional NSW.

Infrastructure and services are embedded upfront into the master planning process. The corporation works collaboratively with businesses to set up true triple helix partnerships and help all stakeholders achieve the Special Activation Precinct vision and aspirations.

A key component is fast track planning which is facilitated by the issuance of Activation Precinct certificate by the issuing authority. The corporation is the issuing authority for development for the purposes of subdivision and for development where the corporation is not the applicant for development consent. An Activation Precinct certificate is required for all development applications or applications for a Complying Development Certificate within a Special Activation Precinct.

The Activation Precinct Certification process is summarised in Section 1.7 of this document.



- 1 Services**
Physical and digital enabling infrastructure, utilities and services
- 2 Approvals**
Streamlined planning and environmental approvals
- 3 Investment**
Industry investment and attraction incentive packages and management
- 4 Partnerships**
Triple helix partnerships and collaboration

1.3 What is a delivery plan?

A delivery plan is a statutory document, referenced by the *State Environmental Planning Policy (Precincts-Regional) 2021* (Precincts-Regional SEPP), and is required before any development can occur within a Special Activation Precinct. A delivery plan must be consistency with the relevant master plan.

The Wagga Wagga Special Activation Precinct Delivery Plan (delivery plan) has been prepared by the corporation) consistent with the Wagga Wagga Special Activation Precinct Master Plan (master plan). It sets out criteria for applications for an Activation Precinct certificate, including the:

- precinct design principles
- precinct revegetation strategy
- infrastructure planning and delivery
- subdivision design objectives
- assessment criteria for change of land uses and the construction of new buildings and structures.

Who will use this delivery plan?

This delivery plan will be used by:

- the corporation, the issuing authority and consent authorities to evaluate or assess development proposals and provide advice to investors
- land owners, proponents and businesses to understand development and infrastructure obligations
- the community to understand the criteria and monitoring applied to development within the Wagga Wagga Special Activation Precinct (the precinct).

The following planning framework facilitates the streamlined planning process for Special Activation Precincts (see Section 1.7 for more detail).



Precincts-Regional SEPP 2021

- zone
- objectives
- land uses



Wagga Wagga Special Activation Precinct master plan

- vision and aspirations
- principles
- precinct-wide performance measures

We are here



Wagga Wagga Special Activation Precinct (Stage 1) delivery plan

- built form and landscape design guidelines
- precinct-wide mapping
- landscape strategy
- precinct and site-based assessment criteria and solutions

Where does this delivery plan apply?

Under clause 3.10 of the Precincts-Regional SEPP, an issuing authority can only issue an Activation Precinct certificate for land if there is a master plan and delivery plan that applies to the land concerned.

This delivery plan applies to stage 1 of the precinct. Future delivery plans will be prepared by the corporation when required for future development.

Notwithstanding, this delivery plan provides transitional provisions for the part of the land not included within stage 1 in Chapter 6, to ensure that development or the expansion of existing and transitional development on land not included within stage 1 can still occur where it is considered appropriate by the issuing authority.

Figure 1 Stage 1 of the Wagga Wagga Special Activation Precinct



How to use this delivery plan

1

Introduction (this section)

This chapter sets the context for the precinct, including the broader legislative framework. It also sets out how this delivery plan should be navigated for development proposed within in the precinct, and the process development proposals will go through to obtain an Activation Precinct certificate.



Read this section to understand:

- the broader legislative framework
- how to use the delivery plan
- the Activation Precinct Certification process.

2

Precinct design principles

This chapter sets out the overarching design outcomes to ensure a high quality public realm through landscaping and design that is representative of an advanced industry and business precinct.



Read this section to understand:

- the overarching design outcomes for the precinct aligned with the master plan guiding principles and the design considerations which are incorporated into the master plan's performance criteria.

3

Precinct revegetation strategy

This chapter sets out the precinct revegetation strategy which identifies the high value biodiversity to be protected, enhanced and incorporated into the site layout and design, as well as the riparian corridors and landscape principles for development interfacing with these areas.



Read this section to understand:

- the landscape context and where the areas of biodiversity, vegetation and riparian corridors are to inform planning and designing for your site
- the principles for protecting and enhancing areas of high biodiversity value and riparian corridors
- the species list when undertaking:
 - revegetation of strategic sites, corridor greening, rehabilitation of riparian corridors and vegetation corridor enhancements
 - landscaping on private sites.

4

Infrastructure

This chapter sets the context of the infrastructure needs and expectations for the precinct.



Read this section to understand:

- what enabling infrastructure is being delivered in the precinct
- the objectives and principles guiding infrastructure planning and design within the precinct
- the site specific expectations for providing infrastructure.

5

Subdivision design guidelines

This chapter sets the subdivision design objectives for planning a subdivision within the precinct.



Read this section to understand:

- planning a subdivision within the precinct, including the design objectives for topography, environment, environmental hazards, design and landscaping, stormwater and drainage, accessibility and infrastructure and services.

6

Assessment criteria

This chapter sets out the performance criteria for evaluating whether a proposal is consistent with the master plan and delivery plan.



Read this section to understand:

- the performance-based planning approach to evaluating development proposals
- the requirements which must be considered when planning and designing your site
- the requirements which a development proposal will be evaluated against to determine whether it is consistent with the master plan and delivery plan.

7

Monitoring, reporting and compliance

This chapter sets out the monitoring, reporting and compliance program for the precinct.



Read this section to understand:

- how the corporation will evaluate whether the precinct is on track to meet its targets, objectives and outcomes
- how businesses will contribute to precinct wide monitoring and reporting.

8

Mapping

This chapter sets out all the mapping relevant to Chapter 6.



Read this section:

- in conjunction with the assessment criteria for site specific development.

What parts of this delivery plan should I look at?¹

✓ Applies



Check to determine whether the controls are triggered. For example, check Chapter 8 – Mapping to determine if your site has mapped biodiversity values or cultural heritage on the land, and whether the land is affected by flooding or bushfire.

Development type ^{2, 3, 4, 5}	Chapter 4 Infrastructure	Chapter 5 Subdivision	Chapter 6 Assessment criteria									Chapter 8 Mapping
			6.1.1 Land uses	6.1 Regional Enterprise Zone			6.2 Rural Activity Zone	6.3 Precinct-wide			6.4 Savings and transitional provisions	
				6.1.2 General controls	6.1.3 Specific development requirements i.e. large lots (minimum 1 hectare), Solar energy farms	6.1.4 Sustainability		6.3.1 Environment i.e. landscape character and visual impact, heritage, biodiversity, vegetation and riparian corridors, groundwater	6.3.2 Environmental hazards i.e. flood risk management, bushfire protection, managing development on contaminated land	6.3.3 Environmental impact management i.e. potentially hazardous and offensive development, air quality and odour, noise, biosecurity		
Change of use	➔		✓	➔		✓						✓
Subdivision	✓	✓										✓
Development on a small lot (less than 1 hectare) subsequent to and consistent with a subdivision under this delivery plan			✓	✓		✓						✓
Development on a small lot (less than 1 hectare)	✓		✓	✓		✓		➔	➔			✓
Development on a large lot (minimum 1 hectare)	✓		✓	✓	✓	✓		➔	➔			✓
Development on land identified for rail and intermodal	✓		✓	✓	✓	✓				➔		✓
Development on land identified as a commercial node	✓		✓	✓		✓		➔	➔			✓
Solar energy farm	✓		✓	✓	✓	✓		➔	➔			✓
Works to or within the curtilage of a heritage item			➔	➔			➔	✓				
Potentially hazardous industry and potentially offensive industry	✓		✓	✓	✓	✓		➔	➔	✓		✓
Development that is a scheduled activity listed in Schedule 1 of the POEO Act	✓		✓	✓	➔	✓	➔			✓		✓
Development that may involve emissions (i.e. air, odour, noise)	✓		✓	✓	➔	✓	➔	➔	➔	✓		✓
Demolition, damage or removal of structures or buildings				➔	➔		➔					
Development in the Rural Activity Zone	✓						✓	➔	➔	➔	✓	✓
Out of sequence development ⁶	✓		✓	✓	✓	✓		➔	➔	➔		✓

¹ This table is a guide only. Other parts of this delivery plan may apply than those identified, due to the scale and nature of the development proposal. The Issuing Authority will confirm applicable parts of this delivery plan as part of Step 3–Pre-lodgement in the Activation Precinct Certification process.

² More than one development type may apply to the development proposal. Where more than one development type applies, all applicable controls will apply.

³ Should a development proposal not be listed, the relevant parts of this delivery plan will be determined by the issuing authority.

⁴ Building alterations (internal), minor building alterations (external) and demolition are required to meet specific complying development clauses of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

⁵ Development identified as exempt development under the Regional-Precincts SEPP does not require a development application and therefore does not need an evaluation against this delivery plan. The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* does not apply to land in the precinct except as provided by the Regional-Precincts SEPP.

⁶ Out of sequence development is development in advance of the enabling infrastructure for the precinct.

1.4 Vision and aspirations for Wagga Wagga Special Activation Precinct

As NSW's Southern gateway supporting Australia's richest food and agricultural region, the precinct will be a sustainable hub of high value production and manufacturing supporting advanced industries and businesses which are connected to the world.

The precinct offer investors, businesses and the community:



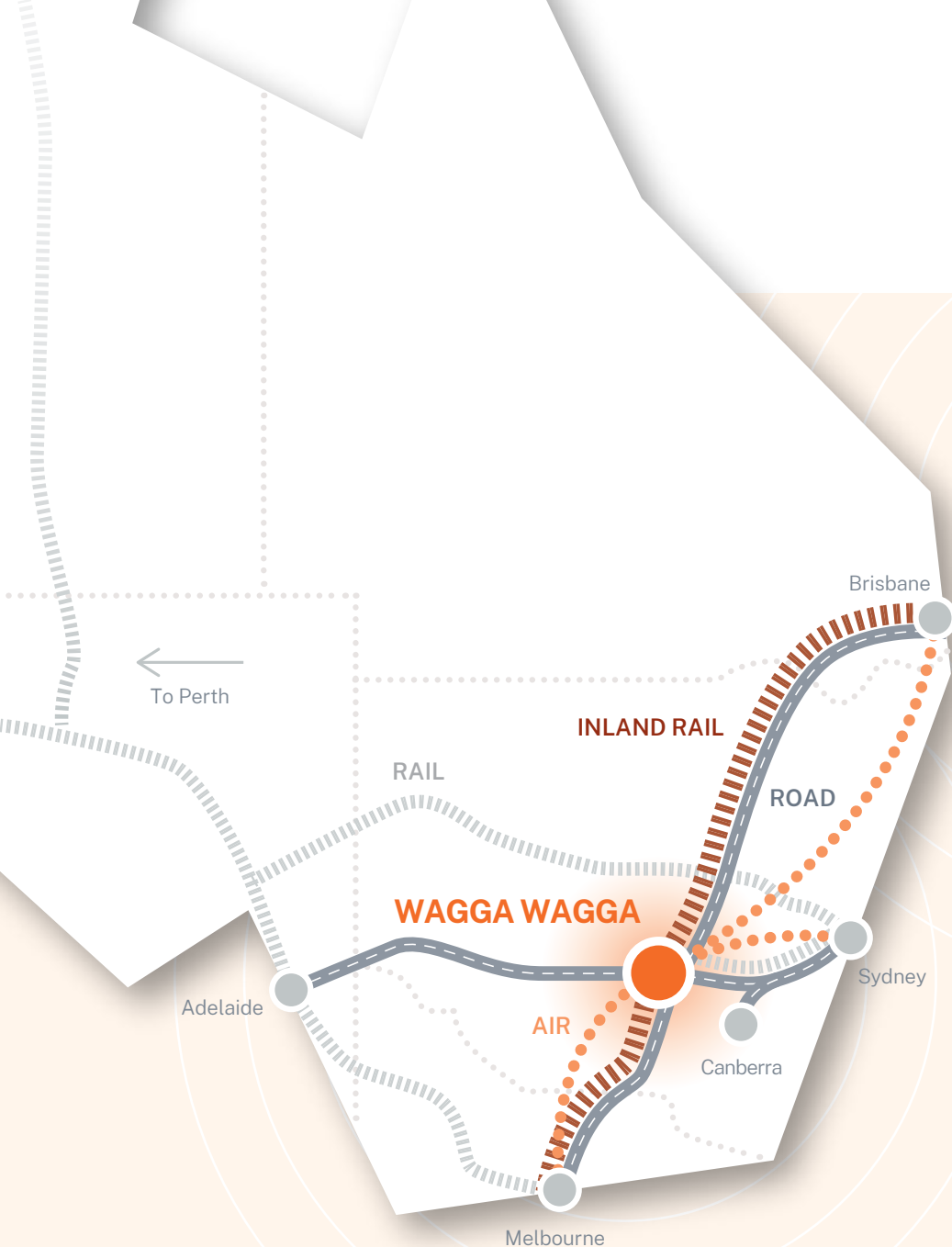
the Riverina's newest and most advanced enterprise precinct, producing high value food and manufacturing products for global and national markets



a streamlined planning and development process in NSW



a United Nations Industrial Development Organization eco-industrial park and a leading circular economy precinct.



1.5 Wagga Wagga Special Activation Precinct Master Plan

The master plan was published by the NSW Government in May 2021. It identifies the vision and principles for the precinct, provides land use provisions and criteria for environmental considerations such as air quality, noise, biodiversity and water management. The Precincts-Regional SEPP requires a delivery plan is consistent with the master plan.

The investigation area has been assessed by technical experts, ecologists, engineers, stakeholders and urban planners. Ongoing input and feedback from the community, landowners, businesses, and other key stakeholders has also informed the master planning process.

The precinct is a 4,424 hectare site north of Wagga Wagga city centre, incorporating the existing Bomen Business Park.

The master plan identifies a rural landscape buffer surrounding an industrial core leveraging the existing hub and major logistics infrastructure in line with aspirations for the precinct including:

- freight and logistics
- advanced manufacturing
- agribusiness
- innovation, skills and education
- renewable energy and recycling.

The master plan also identifies the layout and nature of infrastructure, and other key features such as the potential locations of commercial nodes to support workers in the precinct and important heritage areas for protection and celebration.

The master plan also identifies key road networks and environmental constraints and opportunities such as buffers, green infrastructure, stormwater basins and stormwater flow paths.



1



Economic development

- A nationally significant economic precinct
- Future-proofing with in-built capacity to evolve
- Strategically managed growth

2



Place and landscape

- Industry in the landscape
- A good neighbour
- Quality design, respectful of the landscape

3



Environment and sustainability

- Eco-industrial precinct
- Circular economy
- Net zero emissions
- Water security and quality
- A safe precinct

4



Community

- A connected, green place
- Connection to Country

5



Infrastructure and transport

- Digital connectivity
- Integrated utilities
- Great access for all modes

Bomen
Image courtesy of Wagga
Wagga City Council

Figure 2 Wagga Wagga Special Activation
Precinct Structure Plan

Industrial precinct

A consolidated industrial precinct in the valley between the Olympic Highway and Byrnes Road, located to avoid areas of environmental importance, better leverage access to existing infrastructure and provide suitable buffers to surrounding residential communities.

Rural Activity Zone

A 2,987ha Rural Activity Zone provides a long-term strategy for reducing land use conflict by acting as a buffer between industry and denser residential areas. No additional residential uses, or large-scale solar farms are permitted in this zone.

Regional Enterprise Zone

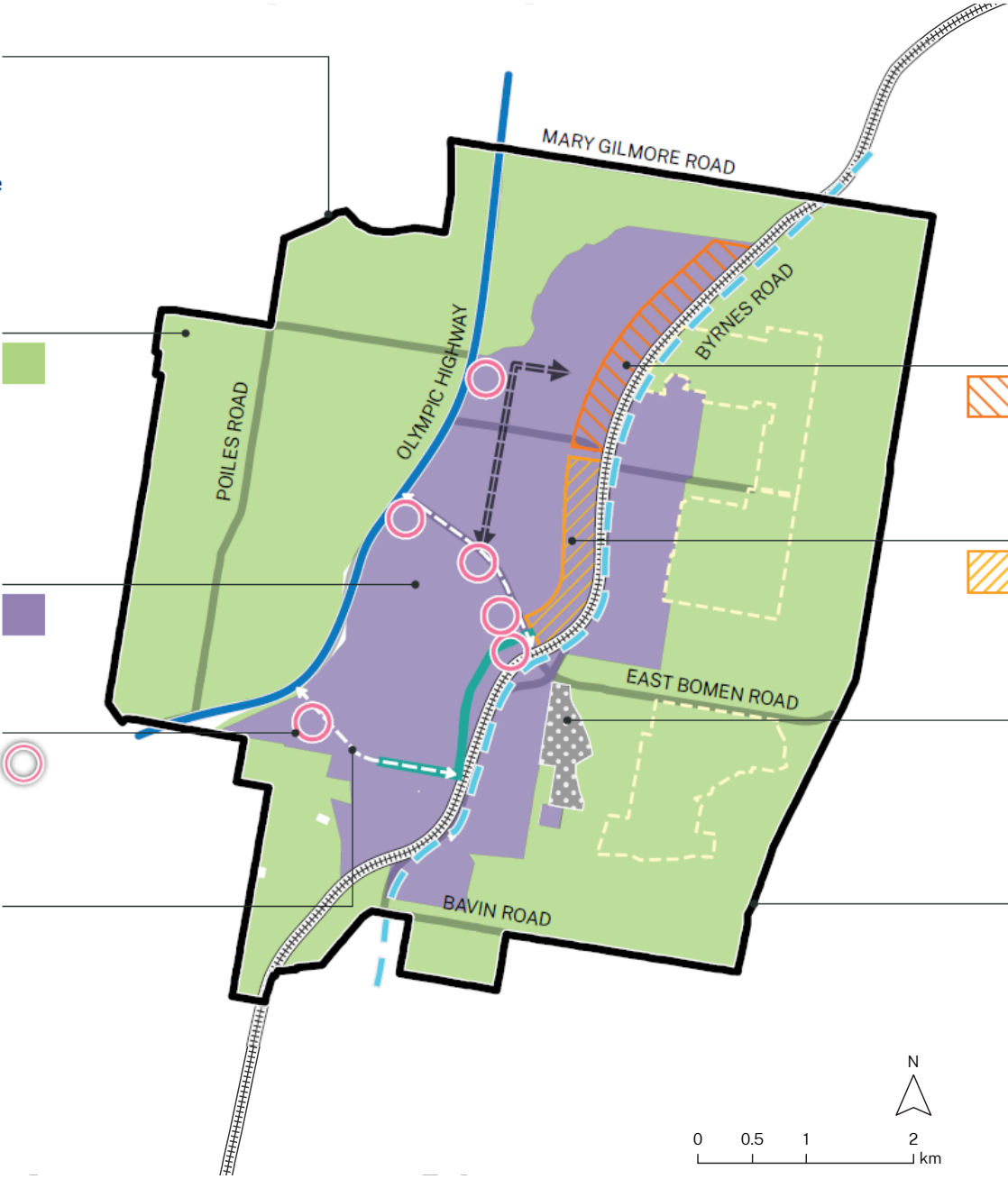
The 1,314ha Regional Enterprise Zone allows for a broad range of industrial and employment uses.

Potential commercial nodes

Potential locations for retail and business services required to service the needs of the precinct employment population.

Infrastructure

Potential new streets, services and infrastructure to support sustainable growth over time.

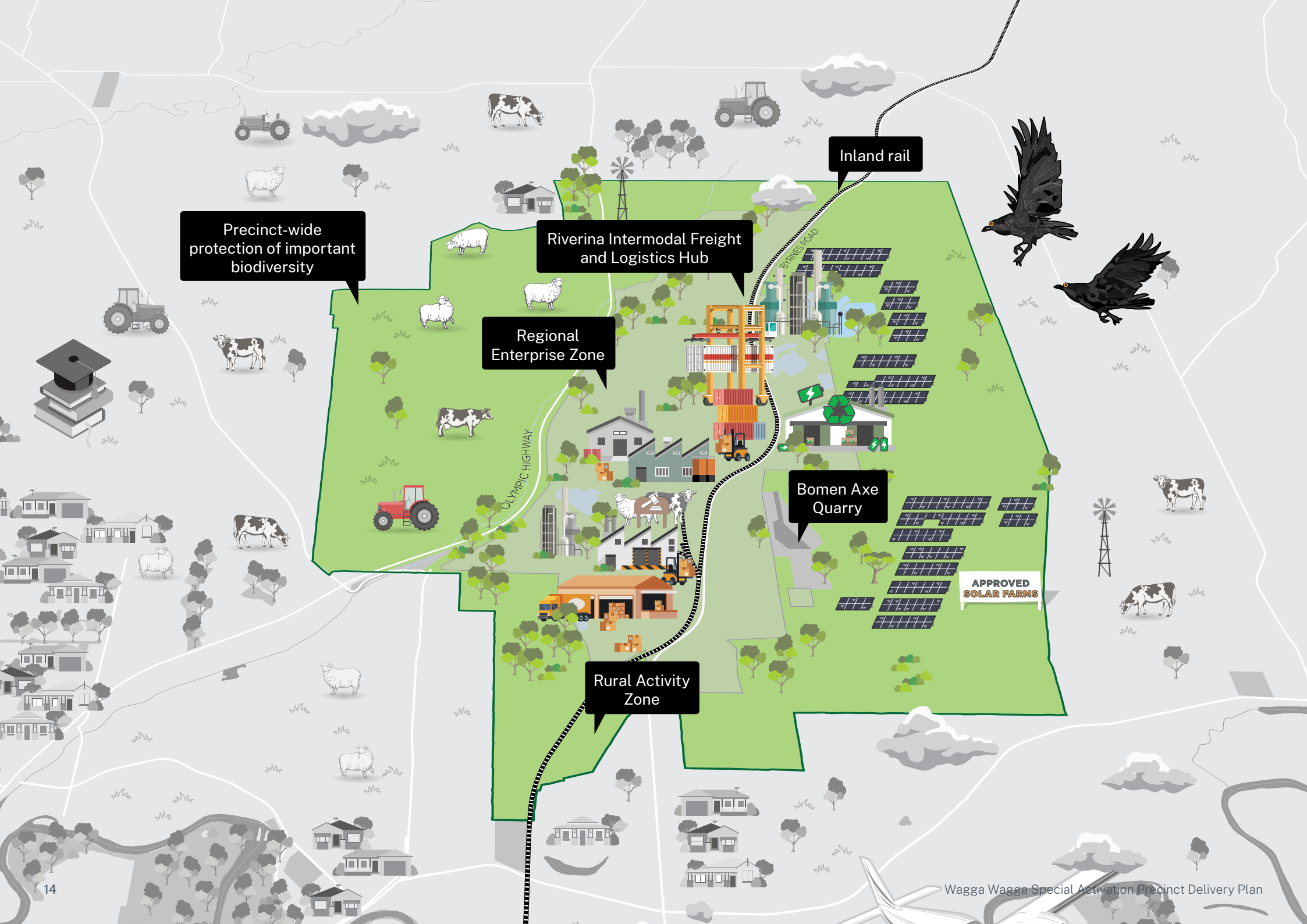


Rail infrastructure
Possible future expansion of rail siding infrastructure

Riverina Intermodal Freight and Logistics Hub

Protection of sensitive sites
Controls for the protection of sensitive sites and strategies for the interpretation and celebration of Wiradjuri culture and history.

Staged development
The precinct will provide for an estimated 40 years of demand and will be staged over time, with development being concentrated in the southern part of the precinct initially and growing towards the north.



Precinct-wide protection of important biodiversity

Riverina Intermodal Freight and Logistics Hub

Regional Enterprise Zone

Inland rail

Bomen Axe Quarry

Rural Activity Zone

APPROVED SOLAR FARMS

OLYMPIC HIGHWAY

BOMES ROAD

Master plan at a glance

Demand

The precinct will provide for an **estimated 40 years of demand** and will be staged over time, with development being concentrated in the southern part of the precinct initially and growing towards the north.

SEPP

The **Precincts-Regional SEPP** replaces the *Wagga Wagga Local Environmental Plan 2010* for land within the precinct.

Framework

A **new planning framework** provides for most development to be Exempt or Complying Development, where it meets the requirements of the *State Environmental Planning Policy (Precincts -Regional) 2021* (Precincts-Regional SEPP), master plan and the delivery plan.

Performance

Detailed performance criteria for noise, air quality and odour.

Greening

Strategies for greening the precinct – revegetation, connecting habitat and greening riparian corridors, roads and private lots.

Protection

Controls for protecting water resources, driving sustainability and protecting biodiversity.

Built form

Controls for built form, land uses, community and social infrastructure and safety.

Jobs

Expected to deliver between 3,400 and 6,050 jobs by 2040 and between 4,150 and 7,550 jobs by 2060.

Victory Memorial Gardens,
Wagga Wagga



1.6 Approval pathways

The Precincts-Regional SEPP proposes to simplify planning and environmental approvals. Any development within a Special Activation Precinct must be consistent with the master plan for the Special Activation Precinct.

Many industrial and employment uses that would require a development application under the current planning framework are intended to be undertaken as complying development within Special Activation Precincts. Complying development will not be advertised and will not require an Environmental Impacts Statement or Statement of Environmental Effects.

Numerous technical studies, investigations and strategies have informed the performance criteria in the master plan, and design guidelines and assessment criteria in the delivery plan. This has allowed for most development to be complying under the Precincts-Regional SEPP.

Where a proposed development does not meet the requirements for qualifying as complying development, a development application will be required. Where a development application is required, development consent must be obtained from the consent authority under Part 4 of the *Environmental Planning and Assessment Act 1979*. The consent authority must have regard to the master plan and the delivery plan when determining the development application.

The Planning Secretary is the consent authority for development in the Regional Enterprise Zone.

If the Precincts-Regional SEPP identifies development as exempt, it does not require a development application.

1.6.1 Activation Precinct certificates

Although a streamlined planning process (i.e. complying development pathway) is available, an Activation Precinct certificate will be required from the corporation prior to issue of a Complying Development Certificate. The requirement for an Activation Precinct certificate is regulated under the *Environmental Planning and Assessment (EP&A) Regulation 2021* and must accompany all development applications or applications for a Complying Development Certificate within a Special Activation Precinct. The Activation Precinct certificate provides an assurance that a proposal is consistent with the relevant land use table, master plan and delivery plan.

The corporation will issue an Activation Precinct certificate if it decides the proposed development is consistent with the master plan and delivery plan.

In the precinct complying development must:

- not be located on land identified as an environmentally sensitive area
- not be located on land on which a heritage item or Aboriginal object or place of Aboriginal heritage significance is located
- be consistent with the relevant provisions of the Building Code of Australia
- not be for the purpose of remediation work within the meaning of *State Environmental Planning Policy (Resilience and Hazards) 2021*
- not be carried out in a pipeline corridor
- not be a major hazard facility
- be carried out in accordance with the relevant provisions of the Blue Book
- be installed in accordance with the manufacturer's specifications, if applicable
- for the erection of a building, not be carried out within 1 metre of a public sewer without written approval from the authority / asset manager
- not involve the removal of asbestos.

1.7 Activation Precinct Certification process

The Activation Precinct Certification process provides a streamlined planning pathway for economic development to help our regions grow while providing certainty and confidence to businesses.

Business concierge

The business concierge will support streamlined and coordinated planning and environmental approvals for investors and businesses.

Through the business concierge, applicants have the option of progressing parallel environmental approvals and licences, and other approvals, licences and permits required for a proposed development.

Applicant-driven process

Potential investors, or applicants play a crucial role in streamlining the development approval process.

The Activation Precinct Certification provides for investors to decide:

- when they will prepare any required technical documentation
- when they will lodge the application for an Activation Precinct certificate
- whether they will seek to process other required approvals and licences in parallel with the Activation Precinct Certification process.

The business concierge offer a coordinated service to investors to undertake additional approval and licence processes in parallel with the Activation Precinct Certification process.

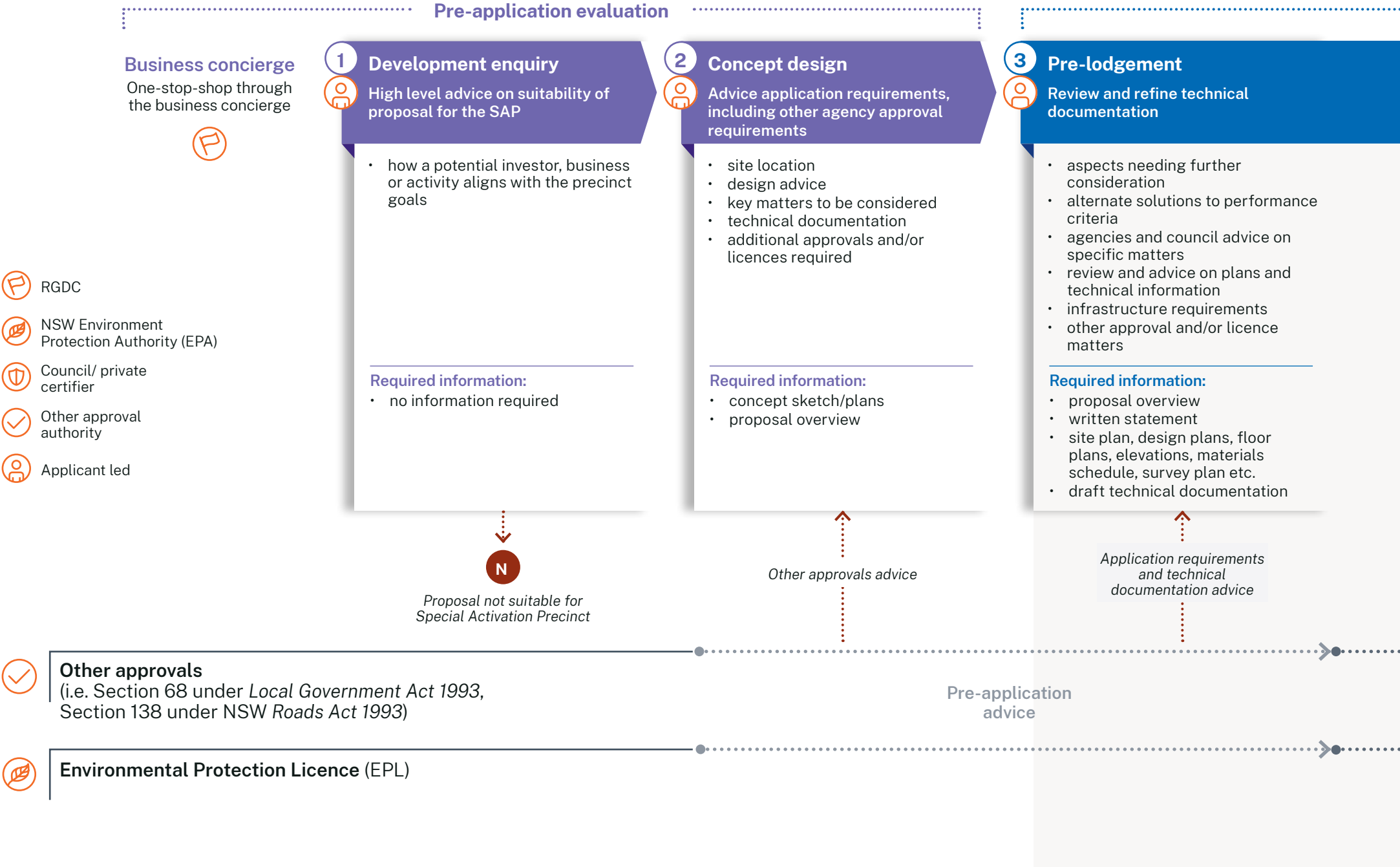
The corporation will engage with other government agencies, regulatory bodies and the council to discuss any additional approval requirements at Step 2 – Concept design.

It will be at the investors discretion when they choose to initiate the other approval and/or licence requirements.

View from Riverina Oils,
Wagga Wagga



Activation Precinct Certification process



Application evaluation and determination

4 Application

Lodge application

- complete checklist
- application form
- accept application or request information
- give written notice of application to utility providers (i.e. land near electricity transmission and distribution networks, pipeline areas, and level crossings and rail corridors) for comment within 14 days

Required information:

- application form
- technical documentation

5 Evaluation and determination

30 day evaluation period commences once application is accepted

- ensure consistency with master plan and delivery plan
- on basis of submitted plans and technical documentation
- consider any submissions received from any utility providers

Activation Precinct Certificate

- 3 year currency period
- stamped and dated technical documentation attached
- may include requirements for consistency
- Corporation gives copy of APC to other agencies and council

Application for development approval



Other approvals

Approval granted either unconditionally or subject to conditions



Complying Development Certificate

Lodge with council/private certifier
Follow process under EP&A Act



Development Application

Lodge with DPIE.
Follow process under EP&A Act



Construction Certificate

Lodge with council/private certifier.
Follow process under EP&A Act



Environment Protection Licence

Lodge with EPA (can be lodged prior to development consent). EPL may only be granted after CDC or consent is issued.

Optional parallel assessment pathways

Information request
Evaluation period pauses

Refine for consistency
Evaluation period stops and starts again

Applicant liaises with corporation on modifications after APC issued

Lodgement and assessment

1

Development enquiry

The corporation will provide high level advice on the suitability of the proposal for the precinct, including how the proposal aligns with the precinct goals and advice on the design and development outcomes before the development is conceptualised.

2

Concept design

The corporation will provide advice on what is needed to prepare an application.

The corporation will undertake a concept design evaluation and provide advice on:

- a preferred site if one is not already identified
- any key matters that will need consideration, including design
- advice on alternate solutions to the assessment criteria, where relevant
- technical documentation requirements
- any additional approvals, licences and permits.

The corporation will also coordinate other government agencies, regulatory bodies and council to provide advice on the application requirements for any other approvals and/or licences that may be required.

The concept design step may involve multiple meetings and/or advices.

Development Specific Checklist

The corporation will advise on the Activation Precinct Certification Application requirements in accordance with the relevant delivery plan. Through the business concierge the corporation will prepare a Development Specific Checklist which sets out the application requirements and technical documentation needed for the proposed development, to support the lodgement of an application for an Activation Precinct certificate.



The information needed for the concept design evaluation includes:

- concept design plans/sketches
- proposal overview.

3

Pre-lodgement

A pre-lodgement allows applicants to discuss their proposal with the corporation in more detail. A pre-lodgement provides the opportunity for a pre-evaluation to identify where changes may be required to ensure consistency with the master plan and delivery plan.

Pre-lodgement is to promote decision-ready applications to support a streamlined planning pathway for development consistent with the master plan and delivery plan.

It gives all parties (i.e. the corporation, applicant and other government agencies, regulatory bodies and council) the opportunity to:

- identify design, planning or operational aspects of proposals which may need further consideration or amendment
- discuss any alternate solutions to meet the performance criteria provisions
- review draft technical documentation that will be required for the formal lodgement of an application in accordance with the Development Specific Checklist
- work through any specific issues (i.e. biodiversity, flooding, stormwater constraints etc.)
- work through issues and application requirements for relevant approvals and licences.

More than one pre-lodgement may be required, and pre-lodgements may be in the form of meetings and/or written advice.



The supporting information needed for a pre-lodgement generally includes:

- proposal overview
- written statement
- site plan, floor plans, elevations and sections, materials schedule, survey plan
- draft technical documentation that will be required as part of the application in accordance with the Development Specific Checklist.

4

Application

The corporation will confirm an application has been made in the approved form (against the Development Specific Checklist).

If an applicant takes a parallel approval pathway, the relevant application forms, technical documentation and fee can be progressed at the same time as their application for the Activation Precinct certificate.

Activation Precinct Certificate

An Activation Precinct certificate will be issued for development that is consistent with the master plan and delivery plan.

In most instances, the corporation will be responsible for issuing the Activation Precinct certificate unless they are the applicant, in which case the Planning Secretary will be the issuing authority.

The issuing authority will determine whether a development is consistent with the master plan and delivery plan based on the submitted *technical documentation*.

If the development is consistent with the master plan and delivery plan, the issuing authority will issue an Activation Precinct certificate, which will provide that:

- the proposed development is consistent with the master plan and delivery plan
- the determination is based on the attached stamped and dated technical documentation (referred to as *Activation Precinct certificate material*)
- any requirements that must be addressed prior to an application being made for a Complying Development certificate (i.e. the submission of an environmental management plan with the corporation).

If the issuing authority is of the opinion that the development is not consistent with the master plan and delivery plan for the land, the applicant will be given an opportunity to modify the application to ensure that it is consistent.

An Activation Precinct certificate is valid for three years.

Once a Certificate has been issued, relevant approvals must still be obtained. The pathways for consent to be granted are:

- **Complying Development** under the *Environmental Planning and Assessment Act 1979* through the issuing of a Complying Development Certificate (from the relevant council or an accredited certifier)
- **Development Application or State Significant Development application** under Part 4 of the *Environmental Planning and Assessment Act 1979*.

Complying Development

In most instances a Complying Development Certificate (Building Approval) will be required for development within a Special Activation Precinct and can be issued by either the local council or an accredited certifier.

The council or accredited certifier will evaluate and determine an application for a Complying Development Certificate in accordance with the *Environmental Planning and Assessment Act 1979* and Environmental Planning and Assessment Regulation 2021. Section 4.28 of the *Environmental Planning and Assessment Act 1979* requires the council or registered certifier to consider and determine:

- whether or not the proposed development is complying development
- whether or not the proposed development complies with the relevant development standards.

A local environmental plan does not apply to land within a Special Activation Precinct.

The issuing authority will evaluate the application against the delivery plan development standards and issue an Activation Precinct certificate if the proposed development is consistent with the master plan and delivery plan.

The consent authority will need to ensure that the proposed development the subject of an Activation Precinct certificate is substantially the same as the proposed development the subject of the application for development consent or an application for a Complying Development Certificate.

Development consent must be obtained under Part 4 of the *Environmental Planning and Assessment Act 1979* where a proposed development that involves a permitted land use does not meet the criteria to be complying development under the Precincts-Regional SEPP.

Charles Sturt University, Wagga Wagga



Timeframes	Modifications to proposals	Updated or changed Activation Precinct certificate
<p>The 30 day evaluation period commences only when an application for an Activation Precinct certificate is taken to be made in the form approved by the corporation and satisfies the requirements under clause 11(3) of the Precincts-Regional SEPP.</p> <p>Neither the day on which the application for an Activation Precinct certificate is lodged nor the following day are to be taken into consideration in calculating the number of days in the evaluation period.</p> <p>The corporation may request more information. The evaluation period excludes any period between a request for additional information and the applicant's response to the information request.</p>	<p>There may be circumstances when an applicant wishes to:</p> <ul style="list-style-type: none"> • make changes to their development proposal (i.e. design changes) either: <ul style="list-style-type: none"> – during the Activation Precinct Certification evaluation and determination step – between receiving an Activation Precinct certificate and making an application for a Complying Development Certificate and – during the complying development approval process or • seek written confirmation from the issuing authority that the development proposal the subject of an application for a Complying Development Certificate is substantially the same as the development the subject of the Activation Precinct certificate that applies to the land. <p>For modifications made after an Activation Precinct certificate is issued, the applicant will need to give written notice to the issuing authority seeking the issuing authority's confirmation that the development, as amended or modified, is substantially the same as the development proposal the subject of the Activation Precinct Certificate. An updated or new Activation Precinct certificate would not be issued.</p> <p>A new application for an Activation Precinct certificate will be required for a modified development proposal that the corporation considers to not be substantially the same as the development proposal the subject of the current Activation Precinct certificate.</p>	<p>There may be circumstances where an applicant seeks an updated or changed Activation Precinct certificate after the issuing authority has issued it, to:</p> <ul style="list-style-type: none"> • correct a minor error, an incorrect description or miscalculation within the Activation Precinct certificate • seek modifications to any requirements included as part of the Activation Precinct certificate • modify the Activation Precinct certificate to reflect any amended or modified design changes to the development proposal, provided the development is substantially the same. <p>Any changes to the Activation Precinct certificate should be sought prior to the applicant making an application for a Complying Development Certificate.</p> <p>In the instance where the applicant seeks changes to be made to an Activation Precinct certificate during the complying development approval process and a changed Activation Precinct certificate is issued, a new application for a Complying Development Certificate would need to be made with the changed Activation Precinct certificate.</p>

Other potential licences and approvals

Environment Protection Licence

Environment Protection Licences (EPLs) are required for some development or activities.

These are issued by the NSW Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act 1997*.

As part of the business concierge service, the corporation will coordinate and engage with the EPA during the Activation Precinct Certification process. This will ensure that a proposed development is designed and planned for consistency with the master plan and delivery plan and to also satisfy the requirements for an EPL.

The corporation will engage with the EPA on whether an EPL will be required during Step 2 – Concept design. If an EPL is required, advice from the EPA will be sought on the:

- requirements for the proposed development under the *Protection of the Environment Operations Act 1997*
- the application requirements for making an application for an EPL.

The corporation will engage with the EPA on the pre-evaluation of the proposed development and draft technical documentation during Step 3 – Pre-lodgement. The corporation will coordinate and engage with the EPA to resolve any issues upfront to promote a decision ready application for an EPL.

Once the development proposal and technical documentation are considered to be decision-ready, the applicant will be able to apply for the EPL at the same time as an Activation Precinct certificate.

Where possible, the EPA will assess the licence application in parallel with the corporation's evaluation of the application for an Activation Precinct certificate. The EPA cannot issue a licence until development consent is obtained.

Section 68 approvals

Section 68 of the *Local Government Act 1993* specifies a range of activities where approvals are required from the local council, known as 'Section 68 approvals'. Section 68 approvals are generally required where an activity is carried out on council land, assets or requires connection into local council infrastructure. Categories of activities relate to:

- temporary structures and places of public entertainment
- water supply, sewerage and stormwater work
- management of waste
- community land
- other activities.

Section 68 approvals cannot be applied for as part of the application to the council for a Complying Development Certificate.

As part of the Activation Precinct Certification process the corporation will engage with the local council to provide advice on approval requirements during Step 2 – Concept design.

The applicant will be able to make an application for a Section 68 approval when they make the application for an Activation Precinct certificate.

Section 138 approvals

Section 138 of the *NSW Roads Act 1993* requires that all activities undertaken within the local council's road reserve (or other roads authority) be approved by the roads authority prior to the activities being undertaken.

As part of the Activation Precinct Certification process the corporation will engage with the relevant roads authority to provide advice on approval requirements during Step 2 – Concept design.

The applicant will be able to make an application for a Section 138 approval when they make an application for an Activation Precinct certificate.

Solar farm in Wagga Wagga



Potentially hazardous industry or potentially offensive industry

For developments that are a potentially hazardous or a potentially offensive industry, through the business concierge the corporation will engage with the Department of Planning and Environment early as part of Step 2 – Concept design or Step 3 – Pre-lodgement to identify whether the potentially hazardous industry or potentiality offensive industry is low, medium or high risk, and confirm whether the proposed development will be complying development or require a development application.

For complying development involving potentially hazardous industry or potentially offensive industry where the corporation is the issuing authority, the corporation will seek the approval of the Planning Secretary to issue an Activation Precinct certificate during Step 5 – Evaluation and determination.

Other referrals and concurrences

The corporation will work with applicants to identify upfront any requirements for referrals or concurrences as part of the Development Specific Checklist.

Additional information may need to be provided to meet the requirements of other referrals or concurrences during the Activation Precinct Certification process.

The corporation will engage with other government agencies, regulatory bodies and the council to streamline these processes, including identifying any other referral and concurrence requirements during Step 2 – Concept design.



Agriculture at
Charles Sturt University

1.8 Proposal documentation requirements

All applications for an Activation Precinct certificate should adequately address the master plan and delivery plan requirements. Proposals should include the following information to demonstrate consistency with the master plan and delivery plan.

What supporting documents will I need for my application?⁷

✓ Required

→ May be required

Type ^{8,9}	Change of use	Subdivision	Development on a small lot (less than 1 hectare) subsequent to and consistent with a subdivision under this Delivery Plan	Development on a small lot (less than 1 hectare)	Development on a large lot (minimum 1 hectare)	Development on land identified as a Commercial Node	Rail and intermodal development	Solar energy farm	Works to or within the curtilage of a heritage item	Potentially hazardous industry or potentially offensive industry	Development that is a scheduled activity listed in Schedule 1 of the POEO Act ¹⁰	Development that may involve emissions (i.e. air, odour, noise)	Demolition, damage or removal of structures or buildings	Development in the Rural Activity Zone	Out of sequence development
Application form	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Development Specific Checklist	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Architectural plans															
Elevations and sections	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
Floor plans	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓		✓	✓
Landscape plan	→	✓	✓	✓	✓	✓	✓	✓	→	✓	✓	✓		✓	✓
Photo montage			→	→	→	→			→						
Proposed subdivision plan		✓													
Schedule of colours, materials and finishes	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
Shadow diagrams			→	→	→	→									
Site plans	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Survey plan	→	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Any other plans that demonstrate how the proposal addresses the assessment criteria	→	→	→	→	→	→	→	→	→	→	→	→	→	→	→

- ✓ Required
- May be required

Type^{8,9}

General

Change of use	Subdivision	Development on a small lot (less than 1 hectare) subsequent to and consistent with a subdivision under this Delivery Plan	Development on a small lot (less than 1 hectare)	Development on a large lot (minimum 1 hectare)	Development on land identified as a Commercial Node	Rail and intermodal development	Solar energy farm	Works to or within the curtilage of a heritage item	Potentially hazardous industry or potentially offensive industry	Development that is a scheduled activity listed in Schedule 1 of the POEO Act ¹⁰	Development that may involve emissions (i.e. air, odour, noise)	Demolition, damage or removal of structures or buildings	Development in the Rural Activity Zone	Out of sequence development
Cost estimate report for development with a value of: <ul style="list-style-type: none"> \$0-\$150,000: prepared by the applicant or a suitably qualified person greater than \$150,000 - \$3 million: prepared by suitably qualified person greater than \$3 million: detailed cost report prepared by a registered quantity surveyor 	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Owner's consent	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Party wall consent	→		→		→	→	→	→	→	→	→	→	→	→
Plan of management									✓	✓	✓			✓
Political donations and gifts disclosure statement	→	→	→	→	→	→	→	→	→	→	→	→	→	→
Statement of consistency	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

6.1.2 General controls

Erosion and sediment control plan	→	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Geotechnical report where development: <ul style="list-style-type: none"> has potential to adversely affect surrounding properties during excavation or construction of subsurface structures involves excavation of a certain volume, within proximity to a property boundary or depth below ground level are located on land with certain site constraints (i.e. steep slopes) 	→	→		→	→	→	→		→	→	→		→	→
Maintenance plan for stormwater treatment	→	✓	✓	✓	✓	✓	✓	→	✓	✓	✓			✓

✓ Required
→ May be required

Type^{8,9}

	Change of use	Subdivision	Development on a small lot (less than 1 hectare) subsequent to and consistent with a subdivision under this Delivery Plan	Development on a small lot (less than 1 hectare)	Development on a large lot (minimum 1 hectare)	Development on land identified as a Commercial Node	Rail and intermodal development	Solar energy farm	Works to or within the curtilage of a heritage item	Potentially hazardous industry or potentially offensive industry	Development that is a scheduled activity listed in Schedule 1 of the POEO Act ¹⁰	Development that may involve emissions (i.e. air, odour, noise)	Demolition, damage or removal of structures or buildings	Development in the Rural Activity Zone	Out of sequence development
Proposed potable water and non-potable water demand and percentage to be delivered via onsite water systems	→		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓
Proposed sewer outflow requirements	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓
Stormwater drainage plan	→	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓			✓
Structural engineers report													✓		
Traffic and parking study	→	→		→	→	→	→			→	→	→		→	✓
Traffic impact assessment	→	→		→	→	→	→			→	→	→		→	✓
Voluntary planning agreement															✓
Waste management plan	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Water pollution impact assessment	→		→	→	→	→	→	→		→	→	→		→	→

6.1.4 Sustainability

Confirmation of proposed building rating/certification (e.g. Green Star), if applicable	→		→	→	→	→	→	→	→	→	→	→			→
Proposed electricity demand and consumption and percentage proposed to be delivered via renewables (onsite and offsite)	✓		✓	✓	✓	✓	✓	✓	→	✓	✓	✓			→
Proposed gas demand and percentage to be delivered via hydrogen, if applicable	→		→	→	→	→	→	→	→	→	→	→			→
Identification of resource flows	✓		✓	✓	✓	✓	✓	✓	→	✓	✓	✓			✓
Statement demonstrating alignment with the UNIDO Eco-Industrial Park Framework	✓		✓	✓	✓	✓	✓	✓	→	✓	✓	✓			✓

✓ Required
→ May be required

Type^{8,9}

	Change of use	Subdivision	Development on a small lot (less than 1 hectare) subsequent to and consistent with a subdivision under this Delivery Plan	Development on a small lot (less than 1 hectare)	Development on a large lot (minimum 1 hectare)	Development on land identified as a Commercial Node	Rail and intermodal development	Solar energy farm	Works to or within the curtilage of a heritage item	Potentially hazardous industry or potentially offensive industry	Development that is a scheduled activity listed in Schedule 1 of the POEO Act ¹⁰	Development that may involve emissions (i.e. air, odour, noise)	Demolition, damage or removal of structures or buildings	Development in the Rural Activity Zone	Out of sequence development
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6.3.1 Environment

Aboriginal cultural heritage assessment		→		→	→	→		→	→	→	→	→		→	→
Arborists report		→		→	→	→		→	→	→	→	→		→	→
Biodiversity impact statement		→		→	→	→		→		→	→	→		→	→
Biodiversity assessment report		→		→	→	→		→		→	→	→		→	→
Groundwater management plan	→				→					→	→			→	→
Heritage impact statement	→	→		→	→	→		→	✓	→	→	→		→	→
Hydrogeological report		→			→					→	→			→	→
Species impact statement		→			→			→		→	→	→		→	→

6.3.2 Environmental hazards

Bushfire safety authority														→	
Bushfire hazard assessment		→		→	→	→	→	→	→	→	→	→		→	→
Certificate confirming development conforms to relevant bushfire specifications and requirements	→	→		→	→	→	→	→		→	→	→	→	→	→
Contamination / remediation action plan	→	→		→	→	→	→	→		→	→	→		→	
Fire safety upgrade report	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
Flood risk management report	→	→		→	→	→	→	→		→	→	→		→	→
Site based flood emergency response plan	→		→	→	→	→	→	→		→	→	→		→	→

Type^{8, 9}

6.3.3 Environmental impact management

	Change of use	Subdivision	Development on a small lot (less than 1 hectare) subsequent to and consistent with a subdivision under this Delivery Plan	Development on a small lot (less than 1 hectare)	Development on a large lot (minimum 1 hectare)	Development on land identified as a Commercial Node	Rail and intermodal development	Solar energy farm	Works to or within the curtilage of a heritage item	Potentially hazardous industry or potentially offensive industry	Development that is a scheduled activity listed in Schedule 1 of the POEO Act ¹⁰	Development that may involve emissions (i.e. air, odour, noise)	Demolition, damage or removal of structures or buildings	Development in the Rural Activity Zone	Out of sequence development
Site-specific air quality impact assessment											→	✓			
Emergency disposal and biosecurity protocol											→			→	
Odour impact assessment											→	✓			
Noise impact assessment											→	✓			
Preliminary hazard analysis										✓					

7 This table is a guide only and should be read together with Chapter 6. The issuing authority will prepare a Development Specific Checklist for each development proposal which will set out the specific documentation requirements.

8 More than one development type may apply to the development proposal. Where more than one development type applies, all applicable documentation requirements may apply.

9 Should a development proposal not be listed, the relevant documentation requirements will be determined by the issuing authority at the pre-lodgement stage.

10 A full list of documentation required for a development that is scheduled under the POEO Act will be provided during the pre-application evaluation or pre-lodgement meeting in the Activation Precinct Certification Process.

Environmental management plans

Where the issuing authority requires, a site-based environmental management plan may need to be prepared by a suitably qualified person in consultation with relevant government agencies to ensure that appropriate environmental management practices are followed during a project's construction and operation. The site-based environmental management plan should identify the environmental impacts, and management activities and controls related to managing and minimising environmental issues, including how the environmental management activities and controls will be monitored and reviewed.

Depending on the nature, scale and/or location of the development proposal, environmental issues may relate to:

- flora and fauna
- rehabilitation
- noise emissions
- air quality and odour emissions
- energy efficiency and energy consumption
- water consumption
- stormwater management
- erosion and sedimentation
- flood emergency response plan
- traffic, parking and access
- waste management
- aboriginal cultural heritage
- historic heritage
- site security
- emergency disposal and biosecurity protocol
- any other matters as may be required by the master plan or delivery plan.

Where necessary a site-based environmental management plan may be required to be provided to the corporation before an application for a complying development certificate is submitted. Where a development requires a development application, the site-based environmental management plan will become a condition of consent.

The requirements for the site-based environmental management plan will vary depending on the nature and scale of the proposed development.

Businesses that set themselves up in the Wagga Wagga Special Activation Precinct will have access to new industrial roads, freight rail links, digital connectivity, a fast-tracked planning process and the certainty of being located in a government precinct.

Riding bikes along the Murrumbidgee River, Wagga Wagga



1.9 Proposal referrals and concurrences

Proposed development may be referred to other government agencies, regulatory bodies and the council as part of the Activation Precinct Certification. The following referrals and concurrences may be required and should be consulted with early in the Activation Precinct Certification process prior to making an application for an Activation Precinct certificate. The concierge can provide contact details for relevant Authorities.

Does the application include any aspects that need to be referred or consulted on?

If any of the following matters are relevant to the application, the application will require referral or consultation with the respective Authority.

Development	Consult with	Separate licence or approval may be required ^{11, 12}	Written confirmation required	Authority
Specific development				
Hydrogen development, or other renewable energy development where required	✓	✓	✓	Safe Work NSW, Fire and Rescue NSW, the Department of Planning and Environment – Industry Assessments, and the EPA where the proposal may meet the relevant definition in Schedule 1 of the POEO Act
Demolition	✓	✓		Safe Work NSW
Access				
Vehicular access	✓	✓		Roads Authority under section 138 of the <i>Roads Act 1993</i>
Transport infrastructure and utilities				
Development on land that interfaces with or adjoins an existing or future transport asset	✓	✓	✓	Roads Authority or Rail Authority
Development requiring rail access	✓	✓	✓	Rail infrastructure provider
Connections to utilities and services including: <ul style="list-style-type: none"> • water • wastewater • electrical • telecommunications and • other utilities and services as required such as gas, hydrogen reticulation (including future hydrogen), recycled water etc 	✓	✓		Relevant utility suppliers: <ul style="list-style-type: none"> • Electricity supply – Essential Energy • Gas supply – APA Group (APA) • Water supply – Riverina Water • Sewerage and drainage – Council under section 68 of the <i>Local Government Act 1993</i>
Development with trade waste	✓	✓		Council or the Department of Planning and Environment
Development within 20 metres of a pipeline corridor	✓	✓	✓	Pipeline Operator
Development near electricity transmission and distribution networks	✓	✓	✓	Electricity Supply Authority

Development	Consult with	Separate licence or approval may be required ^{11, 12}	Written confirmation required	Authority
Heritage				
Development cannot avoid impacts to Aboriginal cultural heritage	✓	✓	✓	Heritage NSW
Works proposed to be carried out on or within the curtilage of an item listed on the State Heritage Register	✓	✓	✓	Heritage NSW
Carrying out works on a local heritage item	✓	✓	✓	Council
Biodiversity, vegetation and riparian corridors				
Clearing native vegetation Note: At such time that there is a biodiversity certification order, clearing native vegetation not approved under a biodiversity certification will require referral. Note: At such time that there is a biodiversity certification order, clearing native vegetation not approved under a biodiversity certification will require referral.	✓	✓	✓	The regulator of clearing
Reduced setbacks to riparian corridors	✓	✓	✓	NSW Office of Water
Groundwater				
Development within 750 metres of an existing registered bore for stock, domestic, irrigation and/or water supply use	✓	✓	✓	NSW Office of Water
Bushfire protection				
Development of bushfire prone land for a special fire protection purpose	✓	✓		Bushfire safety authority will be required in accordance with section 100B of the <i>Rural Fires Act 1997</i>
Environmental impact management				
Potentially hazardous industry and potentially offensive industry	✓	✓	✓	Department of Planning and Environment
Development that is a scheduled activity under the POEO Act	✓	✓		Environment Protection Authority
Intensive agriculture, waste disposal or resource management facilities and any other development that may impact on biosecurity	✓	✓	✓	Department of Primary Industries

Generally, it will be at the applicant's discretion when they choose to initiate the other approval and/or licence requirements.

Where possible, other approvals and licences may be able to be assessed in parallel with the corporation's evaluation of the application for an Activation Precinct certificate. However, there may be limitations on when an approval or licence may be able to be determined and issued. For instance, the EPA cannot issue a licence until development consent is obtained.

In some instances, an approval may also need to be obtained prior to the determination of an application for an Activation Precinct certificate. For example, the Planning Secretary must provide approval to the corporation to be able to issue an Activation Precinct certificate for potentially hazardous or offensive industry.

¹¹ The relevant authority will provide advice as part of consultation early in the Activation Precinct Certification process on whether an approval will be required.

¹² Advice will be provided as part of consultation with relevant authorities on whether any other approvals and/or licences will need to be obtained.