

**STRATEGIC FRAMEWORK DOCUMENT
FOR THE DRAFT WENTWORTH LEP 2010**



Council of the Shire of Wentworth

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Planning Unit
Sustainable Planning and Environment
Wentworth Shire Council

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1 INTRODUCTION

The Wentworth Shire Council is reviewing its 1993 Local Environmental Plan (LEP) and as part of this process has commissioned a range of studies and documents to support recommendations for land use change in Wentworth Shire. Various documents have been prepared including a 'Conversion Report' and Local Environmental Study (LES) prepared in August 2008 by Parsons Brinkerhoff. The LES provided an analysis of the conversion process of the existing LEP to a new LEP in the new Standard Instrument Format and secondly the LES outlined the planning issues associated with the inclusion of the findings from the Buronga Gol Gol Structure Plan (BGGSP) and other strategic planning documents.

A significant period of time has elapsed since the preparation of the original LES and supporting documents and following a review of the LES report by Council and the Department of Planning it was considered necessary for this addendum to the report to be prepared in order to assist in the clarification of matters and provision of further detail.

The 'Strategic Framework' Section of this document has been prepared to enable the community to obtain a summary of the issues that have been addressed and considered in various other documents related to the project. The 'Addendum to Buronga Gol Gol Local Environmental Study' Section of this document addresses specific environmental issues and investigations regarding the Buronga Gol Gol Study area. For additional details on particular matters, it may be necessary to read this document in conjunction with the LES, Structure Plan and other associated documents.

The final Section of the document relates to the Draft Wentworth LEP 2010 and addresses specific planning matters that have been raised by the previous planning studies and the NSW Department of Planning (DoP). The document will then be used to support the land use recommendations contained in the Draft Wentworth LEP 2010.

Given the disjointed nature, number and age of the strategic planning documents that have been completed to date, it is considered that upon the completion of the Draft Wentworth LEP 2010, that these documents will no longer be relevant to support any future land use change in the Wentworth Shire. Future planning studies containing relevant and up to date data will better inform any future planning and land use changes that Council may propose in the Shire.

2 STRATEGIC PLANNING FRAMEWORK FOR DRAFT WENTWORTH LEP

2.1 Wentworth Shire and Land Use Planning

2.1.1 Timeline of Reports

A series of reports, studies and investigations have been undertaken to inform the planning process and the Draft Wentworth LEP 2010. Such reports have been undertaken over a period of time and cover a range of different planning issues. The details and status of such reports are outlined below.

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Document	Status	Abbreviated Reference used in the Document
Wentworth Heritage Study – Hassall Planning Consultants – August 1989	Adopted September 1989 Current document	
Structure Plan Stage 1 Consultation Report – March 2005	Adopted March 2005	Stage 1 Report
Buronga Gol Gol Structure Plan – December 2005	Adopted October 2005 with modifications	Structure Plan
Draft 'Environmental Plan' – Andrews Neil – November 2006	Adopted July 2010 (Est)	EP 2006
Buronga Gol Gol Traffic Management Plan – Traffix – November 2006	Adopted July 2010 (EST)	
Social Plan (Buronga Gol Gol DCP and Section 94 Plan Study) – Heather Nisbett Planning – November 2006	Adopted July 2010 (EST)	
Buronga Gol Gol Infrastructure Funding and Delivery Background Paper – Newplan – February 2007	Received	
Soil Testing for Contamination - November 2007 – Buronga Gol Gol	Adopted February 2010	
1993 Wentworth LEP Conversion Report and Local Environmental Study (LES) for the rezoning of land at Buronga Gol Gol – Parsons Brinckerhoff – August 2008	Adopted February 2010	LES
Site History for Potential Land Contamination - December 2008 - Buronga Gol Gol	Adopted February 2010	
Buronga Gol Gol Development Control Plan – Andrews Neil – June 2009	Proposed adoption July 2010	DCP

Addendum 2 Contaminated Site Investigation (Heavy Metals) Buronga Gol Gol, NSW – August 2009	Adopted February 2010	
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2.1.2 Sub Regional Land Use Strategy

2.1.2.1 Background

In 1998 SunRISE 21, Mildura Rural City Council and Wentworth Shire Council collaborated to develop a Sub Regional Land Use Strategy for the Sunraysia Region. One of the major outcomes of the Strategy was the formulation of a number of economic, social and environmental strategic directions which applied to both the Wentworth LGA and Mildura Rural which can be found in Section 2.7 of the LES. In essence, these broad strategic directions have been used (where relevant) to guide the land use planning recommendations of subsequent planning studies that have then been carried forward and included in the Draft Wentworth LEP 2010.

The main purpose of the Strategy was to plan for future horticultural, agricultural, industrial, urban and tourism development within the sub-region. It would appear that some of the recommendations of this Strategy have not been implemented within the study area and therefore it may be necessary for Council to undertake further strategic work on issues such as retail uses, primary production and tourism development in the future (Stage 1 Report Section 8.3.5).

2.1.2.2 Content

The Sub Regional Strategy aimed to facilitate a common and integrated approach to planning throughout the Region and aimed to achieve the following objectives which are outlined in Section 4.3 of the LES:

- Develop a Regional Land Use Strategy upon which the future horticultural, agricultural, industrial and urban development of the area can be planned into the 21st century.
- Ensure issues critical to the sustainability of horticulture are fully incorporated in the strategy and those initiatives developed for areas outside of the irrigated agricultural zone are complementary to, and enhance the viability of the industry.
- Ensure that the natural environment is protected.
- Facilitate a common planning strategy across State and Local Government boundaries.

The major land use issues in Buronga Gol Gol identified by this Strategy were:

1. Growth rates have been reasonably modest despite the high rates of growth in Mildura;

2. Potential exists to capture some of the growth being experienced at Mildura;
3. Buronga and Gol Gol are well separated making it difficult to co-ordinate growth;
4. The proposed Midway centre will assist to join the two towns;
5. There are extensive areas of land zoned for urban and future urban development;
6. The close proximity to Mildura makes it difficult to predict future trends for Buronga Gol Gol (Stage 1 Report Section 8.3.5).

More specifically, the recommended urban release statement contained in this Strategy for Buronga Gol Gol identified that:

- Priority be given to 51.6 ha of zoned residential land that has direct access to services;
- 254.8 ha of zoned residential land is unserviced and may require major service infrastructure and is a longer term option;
- Urban development beyond identified zoned areas is to be avoided to ensure retention of current and future horticultural areas;
- The expansion to the sewerage system may assist to cope with an additional 8000 people within the Buronga Gol Gol area;
- The location of, and, type of community facilities to be provided, is critical.

The strategy further recommended that urban development should proceed in a logical and staged manner preferably adjacent to existing urban areas first in order to avoid fragmentation and servicing problems (Stage 1 Report Section 8.3.5). Following the release of the Sub Regional Strategy, Wentworth Council has responded by expanding the availability and capacity of servicing and infrastructure in the Buronga Gol Gol area in order to encourage development in existing zoned areas.

The Draft Wentworth LEP 2010 seeks to implement policy that will achieve the broad objectives of the Sub Regional Strategy whilst also recognising that further strategic work needs to be undertaken in particular areas to support future policy change.

2.1.3 Buronga Gol Gol Draft “Snapshot” & Strategic Planning Workshop 2004

The Draft Buronga Gol Gol ‘Snapshot’, (Work in Progress -commenced but not completed) prepared by the former Department of Infrastructure Planning and Natural Resources (DIPNR) in 2004, clearly summarised the key broader issues that were affecting the local environment and planning agenda in Wentworth Shire.

The snapshot recognised that since 1993 the response of land use planning was critical in certain parts of the Shire that had begun experiencing considerable growth pressures and change due to the emergence of key issues including:

- An increased demand for residential land particularly in the localities of Buronga and Gol Gol;

- Growing demand for agricultural land predominantly for horticulture;
- Demand for access and frontage to the Murray and Darling Rivers for residential and recreational opportunities as well as for agricultural purposes (which includes irrigation);
- Demands and pressures on the Murray and Darling Rivers as an important and vital economic, ecological, heritage and recreational asset;
- The economic influence of Mildura as a major Victorian regional centre and the associated growth pressures resulting from such close proximity;
- Cross border service delivery and infrastructure provision and co-ordination (LES Section 2.3)

In response to the issues that had been identified in both the Sub Regional Strategy and the Snapshot , in June 2004 the Premier’s Department in conjunction with the DIPNR sought to facilitate a workshop involving staff and Councillors from Wentworth Shire Council, key community stakeholders and relevant New South Wales Government Agencies. The intent of the Workshop was to inform and involve relevant stakeholders on the need for a coordinated response to development at Buronga Gol Gol (LES Section 4.3). During the workshop agreement was reached between both Council and DIPNR regarding the need to develop a Structure Plan to guide the proposed rezoning at Buronga Gol Gol.

2.1.4 Buronga Gol Gol Structure Plan Stage 1 Report

2.1.4.1 Background

The original specifications for preliminary investigations to be undertaken to support land use change in the Buronga Gol Gol area were formulated jointly by the former DIPNR (Department of Planning), Wentworth Shire Council and other stakeholders in response to previous strategic work, discussions and meetings. A set of “Agreed Terms of Reference” for a “Spatial Study” of Buronga Gol Gol were adopted by Council on 18 February 2004 and it was agreed that these could be used to guide the preliminary investigation process. Sections 4.1 to 4.3 of the LES discuss the history of this process, but essentially the agreed aim of the study brief was to fully examine the key land use constraints and opportunities for further development of Buronga Gol Gol. The Agreed Terms of Reference are included in Appendix 1.

The Stage 1 Report for the BGGSP set out to complete the required investigations to satisfy the Agreed Terms of Reference whilst also drawing upon previous work undertaken in the LGA. The study mainly focused on the Buronga Gol Gol locality however it should be noted that the actual “Study Area” was broader than the area that was subsequently recommended for rezoning as part of the Buronga Gol Gol Structure Plan. In effect, the Stage 1 Report performed the role of a ‘Local Profile’ or ‘Issues Paper’ that provided background investigation of land uses in the Buronga Gol Gol area and identified potential issues that needed to be addressed and analysed further as part of the Structure Plan.

2.1.4.2 Content

A key consideration for future land use requirements in the Wentworth Shire is the role that Wentworth plays in the hierarchy of the Sub Region. A planning discussion on this matter can be found in Section 3 of the Stage 1 Report which in addition to Section 5.1 provides some background information including demographics relating to the Wentworth Shire. This Report identifies that Buronga Gol Gol performs a role as a dormitory suburb for Mildura and that residents in Wentworth source the majority of their services from Mildura.

In specifically identifying the “way forward” the Stage 1 Report highlighted the following important conclusions on the planning of Buronga Gol Gol:

- Planning for Buronga Gol Gol cannot be undertaken in isolation from the key drivers of change within NSW and in Victoria;
- There was a need to link key background data, research and information to the outcomes of the previous community engagements held within the local area;
- A number of principles were required to be developed to support current and future community needs. In particular the key issues of community access and safety, provision for public transport infrastructure and open space;
- Issues relating to the environment, its quality and its protection and management of natural resources and solving those issues are necessary and involve the community, agencies and the Government addressing the issues in a pragmatic fashion;
- There is sufficient capacity within existing water and sewerage services not to restrict future development however key principles need to be developed that will facilitate better management and infrastructure development including demand and asset management, addressing equitable cost recovery, capital investment management, community education and staging of infrastructure release;
- Transport systems will influence how the issues relating to transport, traffic, road access, public transport, pedestrian and cycle access are dealt with;
- Land tenure and land use zoning have a significant impact on the arrangement of land use within Buronga Gol Gol;
- The existing zonings do not embrace any current vision statements or strategic directions for Buronga Gol Gol;
- The broad nature of the zonings require support from other types of planning control including development control plans, servicing plans or locality plans;
- Future strategic industrial expansion and open space and recreation areas need to be identified in Buronga Gol Gol;
- There is a need to stage the development to ensure the orderly and economic release of residential, industrial or commercial land;
- Land use buffers have not been implemented within new development within the study area and should form part of any new land release. (LES Section 4.4.15)

Essentially, the Stage 1 Report provided a certain level of background information on the study area to give context to particular issues and how they could be dealt with from a land use planning perspective. The Report recommended areas that required further

investigation such as threatened species, land contamination and flooding and identified a set of guiding principles for the completion of a Structure Plan for the Study Area. The key leading principles were identified as:

- Transport principles (including pedestrian, public transport and community access);
- Water Sensitive Urban Design (WSUD) techniques and implementation principles;
- Environmentally friendly and energy efficient housing principles;
- Land use interface and buffer principles;
- Social and cultural needs and levels of service principles;
- Riparian corridor management principles consistent with DIPNR Policy for delineating, protecting and enhancing the corridor in general and river management in particular;
- Infrastructure/servicing principles (including timing and staging of servicing);
- Vegetation and fauna protection, management and connectivity principles;
- Recreational and open space principles; and
- Heritage and archaeological principles. (Stage 1 Report Section 8.1)

2.1.5 Buronga Gol Gol Structure Plan – December 2005

2.1.5.1 Background

The Buronga Gol Gol Structure Plan was prepared and then adopted by Wentworth Shire Council in December 2005. The Structure Plan includes a range of investigations aimed at satisfying an agreed framework in which rezoning of land in Buronga Gol Gol was to occur. This document was intended to reflect the outcomes of the 'Agreed Terms of Reference' reached between Council and DIPNR in 2004 and to carry forward and assess the issues identified in the Stage 1 Report.

2.1.5.2 Content

The Structure Plan provides a clear and concise assessment of the following issues:

- The regional context for the plan;
- An agreed planning horizon of 10 years;
- An assessment of the existing situation;
- Physical Constraints and opportunities;
- Environmental issues;
- Long term zoning options;
- Potential development staging;
- Transport and traffic management;
- Servicing and infrastructure analysis;
- Cultural heritage issues;
- Urban design (LES Section 4.5.2).

The Buronga Gol Gol Structure Plan 2005 provides Council with a range of recommendations that are aimed at achieving particular strategic directions for the development of Buronga Gol Gol within the agreed planning horizon and beyond.

In conjunction with the rezoning option identified in Section 6.1 of the Structure Plan a number of recommendations indicate the additional work necessary for Council to deliver the long term rezoning option including:

- local statutory provisions and adjustments necessary to implement the outcomes of the structure plan and rezoning proposal;
- the completion of supporting plans to deliver those services necessary to deliver the recommended rezoning option; and
- the completion of supporting local planning controls including a detailed DCP to address good planning practice and the encouraging a new standard of local development (LES Section 4.5.2).

Rezoning recommendations contained in the Structure Plan are to be discussed further in Section 4 in the context of the Draft Wentworth Local Environmental plan 2010. In addition to this, further discussion on particular issues of importance can be found in subsequent sections.

2.1.6 Environment Plan

2.1.6.1 Background

The Environment Plan prepared for the Wentworth Shire considered the recommendations of the BGGSP and provided direction on the consideration of environmental issues in relation to the development of the land. The focus of the Environment Plan was to provide input into the outcomes of the DCP for the locality with consideration of options and financial outcomes to be built into the Section 94 Contributions Plan. Furthermore the plan also provided direction for Council to develop policies to address environmental management issues in the locality.

2.1.6.2 Content

The major recommendation of the Environmental Plan was the preparation of an ‘Environmental Management Plan’ to facilitate the implementation of the objectives of the Buronga Gol Gol DCP to ensure that:

- All environmental risks are identified prior to works taking place;
- Environmental safeguards are carried out correctly;
- Development activities are managed to industry best practice or better;
- Adverse impacts on the environment are minimised or avoided;
- All relevant legislation is complied with;
- The project is monitored for environmental impact;

- Management actions are reviewed on a regular basis and improved if necessary (EP 2006 Section 3).

Several main recommendations also come from this plan as follows:

- Council must adopt a total water cycle management planning approach to new development;
- The recommendations for multiuse corridors, planting, landscape design and species selection should be included within the DCP for the development area and costed appropriately within any future Section 94 contributions plan;
- Ecological surveys of all accessible sections of the Murray River should be undertaken to describe the condition, structure and floristic of the vegetation communities in conjunction with the preparation of management plans for Council reserves. Plans of Management must consider public riparian lands along the Murray River and Gol Gol Creek;
- Council will need to engage with stakeholders of non-Council managed lands likely to be impacted by future development to ensure that environmental management is ongoing and successful;
- To ensure consistency with Regional Environmental Plan No. 2 – Riverine Land will ensure the broader issues relevant to the Murray River as a whole can be addressed at the local scale;
- Principles of the NSW Salinity Strategy must be incorporated into any future development and Council must develop a policy and standard for managing urban salinity;
- Site or development processes must be supported by specific Environmental Management Plans which should be prepared as part of the approvals process for future work in the Buronga Gol Gol area (EP 2006 Section 4).

Although Council has not prepared an EMP at this stage or acted on all the recommendations, the principles of environmental management have been incorporated into the Buronga Gol Gol DCP which will be used to guide future development in the area. In future Wentworth Council will consider strengthening its environmental policies in line with the recommendations of this Plan.

2.1.7 Buronga Gol Gol Development Control Plan 2010

The aim of the Buronga Gol Gol DCP is to provide clear objectives and detailed planning and design controls for the future development of Buronga and Gol Gol. In addition to this, the DCP aims to encourage quality urban design, a high level of residential amenity and a sustainable approach to development within this major development area of the Wentworth Shire (DCP Chapter 8).

This plan provides Council's criteria for a range of residential and related development within Buronga and Gol Gol including:

- Residential subdivision;

- Dwelling houses on residential land;
- Infill residential development;
- Dual occupancy;
- Multi-dwelling housing;
- Residential flat buildings; and
- Industrial and commercial development.

The DCP contains requirements for consideration of issues that have been raised in previous strategic planning work including water quality management, biodiversity management and management of land adjacent to the Murray River. In this respect, it is considered that the DCP in conjunction with the land use controls contained in the Draft Wentworth LEP 2010 adequately address the majority of issues raised in the previous planning documents. The requirement for new developments to provide additional reporting and analysis depending on the scale and type of the development proposed will also ensure that site specific issues can be addressed and remedial or preventative measures can be put in place.

2.2 Community Consultation

During the strategic planning process, there has been a series of community, stakeholder and agency engagement in conjunction with the background investigations to support the Buronga Gol Gol rezoning. The Stage 1 Report highlighted the importance of linking the vision of the community to recommendations for the future land use changes in the study area. In order to gain an understanding of that vision, consultation for the proposed land use change at Buronga Gol Gol has occurred at various stages of the planning process, including:

- Preliminary consultation with agencies, community and stakeholders as part of the Snapshot process prepared by DIPNR;
- DIPNR and Premiers Department workshop with agencies, community and stakeholders to develop the planning brief for the preparation of the Buronga Gol Gol Structure Plan;
- Key agencies, stakeholders and the local community were engaged on the findings and outcomes of the background investigations, the Structure Plan Report for Buronga Gol Gol Stage 1;
- Exhibition of the draft structure plan provided an opportunity for further submissions and discussion on the intent and direction of the Structure Plan (LES Section 4.5.2)

Significant consultation was undertaken in order to determine amongst other things the nature of the land to be rezoned, its location and the interrelationship between the townships of Buronga and Gol Gol. The findings of the consultation have lead to the recommendations contained within the Structure Plan. Local community views and priorities within the study area have been formalised and developed with the Buronga and Gol Gol community through the Wentworth Sense of Place project in 2003 which was supported by Wentworth Shire Council and explored again through the 'Snapshot' and Workshop conducted by the Department of Infrastructure Planning and Natural Resources as part of the structure planning process on the 4 June 2004 (Stage 1 Report Section 4.1).

It is anticipated that the various stakeholders will once again take the opportunity to be involved when the Draft Wentworth LEP is publicly exhibited.

2.3 Supply and Demand – Buronga Gol Gol Study Area

Sections 4.3.5 – 4.3.8 of the 2005 Structure Plan identifies the issue of supply and demand for future residential land based on the estimates of residential land release. The Buronga and Gol Gol area has experienced significant growth in recent years in comparison to other locations in the Wentworth Shire. It is considered that this is due to a number of reasons including:

- the natural growth of the locality and broader area of the Mildura region having a positive impact upon the Buronga Gol Gol area;
- the locality providing an alternative to land available in Victoria;
- the locality being within relative proximity to the CBD of Mildura when compared to alternatives available in Victoria;
- the variation in land providing housing choice for the greater community in terms of lot size, location and affordability.

2.3.1 Land Supply

Land supply data has been analysed in Sections 4.2 and 4.3 of the Structure Plan which includes a land balance sheet, a holding and lot size analysis, and a discussion regarding the lot density recommended in the area identified for rezoning. The main findings from the supply analysis can be found below:

- Lot sizes for residential use in the area historically range from less than 500m² to around 2500m², with lots in the newer subdivisions averaging around 1000 to 2000m² in size.
- The typical average lot size in the some newly developed areas of Buronga Gol Gol is 1700m² which generally equates to around 5.2 lots per hectare (with an allowance for roads). This density is relatively small when compared to other areas in NSW and Victoria which yield approximately 11 lots per hectare.

- Of the total area of 173ha currently in Future Urban 1(d) zoning within the study area (and excluding 12ha of the Sturt Highway), about 133ha or 77% of the land is currently used for agriculture such as horticulture and viticulture and will be lost in the longer term.
- Approximately 39.9ha of the 1(d) zone has already changed uses to residential use.
- Table A below shows that there will be an overall loss to rural zoning of around 84ha will occur directly from the Rural 1(a) zone being rezoned to residential and industrial. Horticultural land use is expected to pull back to locations to the north of Pitman Avenue in the centre of the study area and in the area of Buronga to the north east.

Table A:

Current Land Use Zoning Wentworth LEP 1993	Area to be rezoned for Residential Use (ha)	Area to be rezoned for Industrial Use (ha)	Total area to be rezoned (ha)
1(a) Rural	23	61	84ha to be converted to other zones
1(c) Rural Small Holdings	0	0	0
1(d) Future Urban	173	0	173ha to be converted to other zones
2(v) Village	0	0	196ha of additional land to be zoned to Village
4(a) General Industrial	0	0	61ha of additional land to be zoned for industrial use
4(b) Light Industrial	0	0	0
6(a) Open Space	0	0	0
Rezoning Total	196ha	61ha	257ha

Source: Adapted from Table 5 Section 4.3.5 of the Structure Plan

- Overall, the desired average gross density for residential development in Buronga Gol Gol should be around 11 lots per ha rather than at the current lower densities. Gross density includes the lots plus an allowance for roads. This would yield an average lot size of between 700m² and 750m². It should be noted that this aligns with the minimum lot size for subdivision in the 2(v) Zone that is 700m².
- At the recommended average density of 11 lots per ha, the new land release of 196ha for residential use should yield approximately 2156 lots.
- At the average demand of 33 lots per year the new land release of 196ha or 2156 lots (at a density of 11 lots per ha) equates to 65 years supply.
- Council indicate that there are approximately 94 vacant allotments of subdivided land that already exist in Buronga Gol Gol. This would equate to approximately 2.8 years of supply.

- Therefore the total supply for both the existing vacant land and new proposed land release at Buronga Gol Gol is approximately 68 years supply.

It should be noted that no rezoning of land for rural lifestyle purposes is being undertaken through the implementation of the Structure Plan in the Draft Wentworth LEP 2010. Council has prepared a Draft Rural Residential Strategy for the LGA which is currently in draft form. It is proposed that the implementation of rezoning for such land will be undertaken through the completion of the study and implementation through a future amendment to the LEP.

2.3.2 Demand

Previous estimates by council concluded that there was an annual demand of between 50-100 lots a year. This is considered to be a high growth scenario estimate. Based on the average demand of 33 lots per year demand indicated by the historical dwelling starts (see table 3) the proposed rezoning will supply an estimated 65 years of residential land supply depending on average lot density. Whilst this is a large amount of land in terms of land supply, the implementation of staging and servicing mechanisms will go some way to ensuring the orderly release of land.

Table B - Dwelling starts 2006 – 2009

	2003	2004	2005	2006	2007	2008	2009	Average (Rounded Up to)
Pooncarie	2	2	0	1	1	0	0	0.9 (1)
Wentworth	7	4	5	6	1	4	5	4.5 (4)
Curlwaa	3	2	3	1	1	6	0	2.3 (2)
Dareton	0	1	3	3	0	1	1	1.3 (1)
Buronga/Gol Gol	36	43	45	26	33	33	12	32.6 (33)
North & west of Wentworth	4	2	3	3	0	3	5	2.8 (3)
North & east of Gol Gol	0	1	1	0	0	2	1	0.7 (1)
Coomealla	0	1	3	2	0	0	0	0.9 (1)
Boeill Creek	2	1	0	0	0	0	1	0.6 (1)
Total	54	57	63	42	36	49	25	46.57 (47)

The Structure Plan (Structure Plan Section 6.5) recommended that the land release be closely monitored to ensure that the strategy of maintaining an adequate supply of land and buildings for housing and industrial development is effective and managed in the short, medium and long term. This includes Council collecting and recording information on the following matters:

- Housing and dwelling monitor;
- Land tenure changes;
- Affordable housing;
- Housing choice;
- Dwelling density;

This information can be used by Council to make timely adjustments to the land release strategy.

2.4 Staging of land release

The staging and sequential release of land within Buronga Gol Gol requires Council to develop a land release program to ensure that the development of land is matched with the provision of essential services and the planning of delivery of other facilities is consistent with the increase in development and the changes in population that will occur.

The main reasons for this approach are:

- it ensures transparency in the decision making on how land is to be developed;
- it identifies Council's and the developer/landowners financial commitment; and ensures that the necessary services are available (Structure Plan Section 4.4.1).

Staging of development will lead to coordinated sequencing of subdivision and the provision of services. This is important in the overall context of the community in order to ensure the timely provision of land, in a cost effective manner with all community and development infrastructure.

An indicative layout for staging was developed in the Structure Plan in Section 4.4.1 based on the availability of infrastructure for servicing for water supply and sewer Staging contained within the BGGSP has since been altered and the new staging is outlined in the DCP along with the estimated lot yield and take up rate. The staging plan is shown at figure x and the lot yield and area of land information included at table 4. The main changes have been to commence development from where all services are readily available and where strong demand exists from the market and willing landowners in terms of developing the land. In addition to this the opportunity is also provided for multiple development fronts in order to provide effective housing choice to the community.

Table C: Proposed Staging Sequence and Servicing

Proposed Stage	Land Area (Ha)	Potential Lot Numbers at 11 Lots per ha	No. of land Owners	Servicing	Take up (in years @ 33 Lots per year)

1	37	437	5	This section is separated into two catchment zones due to a ridge passing east west through the area. The southern section of the area is readily serviced with water and sewer from the existing reticulation system in Wood Street. The area north of the ridge is more problematic and would require servicing by way of a sewer pump station.	9
2	28	316	1	All services available for augmentation from Pitman Avenue and Melaleuca Street	7
3	23	253	1	All services available for augmentation from Pitman Avenue Summer Drive and Sturt Highway.	5
4	12.5	138	2	All services available for augmentation from Melaleuca Street and Sturt Highway.	3
5	33.1	364	2	All services available for augmentation from Dawn Avenue and Sturt Highway.	8
6	18.9	208	1	All services available for augmentation from Pitman Avenue Summer Drive and Sturt	4

				Highway.	
7	33.1	364	2	Service mains extension required for water and sewer from Pitman Avenue and dawn Avenue	8
8	33.1	364	2	Service mains extension required for water and sewer from Sturt Highway, Grace Crescent and Pitman Avenue.	8
9	28.7	316	1	Service mains extension required for water and sewer from Wood Street and Dawn Avenue.	7
10	13.2	145	2	Service mains extension required for water and sewer from Corbett Avenue	3

Source: DCP Part B Section 1.0

It should be noted that Council intends to accept Development Applications on lots outside of the recommended staging sequence if they can be connected to the required services and would not prejudice development of future stages. Given that the ownership of the land identified for release is held by a relatively small number of owners, this is not considered a major barrier to the orderly development of the land.



–Figure 1: Indicative Residential stating plan (from DCP Section Part B – 1.0 Strategic Context)

2.5 Rural Lands: Minimum lot for a dwelling

As stated at pg 19 of the 2008 LES, Council intend to transfer the lot size provisions from the 1993 LEP through to the new principal LEP in accordance with the recommendation of the SEPP (Rural Lands) 2008. Table D refers to the proposed minimum lot sizes that will be reflected in the Draft Wentworth LEP 2010. This matter was the cause of concern from Industry and Investment NSW (Former DPI) in their response to S62 consultation. Their initial submission is attached at Appendix 2. The submission raised concerns in relation to the appropriateness of the 10ha lot size for horticultural land and the amount of land being capable of subdivision into 10ha lots.

Following receipt of the response from Industry & Investment and consideration of its contents, discussions were undertaken with the Resource Management Officer (DPI Yanco Office) on 8 April 2009. During the discussion the officer expressed his concern regarding the minimum lot size whilst acknowledging that it was a translation from the 1993 LEP. Following further discussion the officer agreed to the translation of the 10ha lot size to the new LEP if the Council would agree to review the appropriateness of the MLS in the future and a letter outlining this dated 31 August 2009 was received by Council confirming this. The letter is attached at Appendix 3.

Table D: Proposed minimum lot sizes in the Draft Wentworth LEP

Proposed Zone	Proposed Minimum Lot Size
RU1 – Primary Production	10,000ha, 300ha or 10ha depending on the land type and certain factors.
RU4 – Rural Small Holdings	
RU5 – Village	700m ²

An assessment of the proposed land use changes in Wentworth Shire against the Rural Land use Principles contained in the SEPP Rural Lands (2008) can be found in the Appendix:

2.6 Development contributions

Council is in the process of preparing contribution plans for the provision of services associated with the new development of the proposed rezoning areas. This assessment has commenced through the appointment of specialist consultants for the preparation of the plans, consultation with Council and community in relation to the provision of such services.

Three plans have been prepared under *Section 64 of the Local Government Act 1993* to facilitate the collection of developer charges for water supply (raw and

filtered), sewerage and stormwater. The Department of Public Works (formerly Department of Commerce) is undertaking the consultant role in the preparation of those plans. The plans received by Council have post date of July 2008 and it is considered that the plans remain relevant for the purpose of effecting developer charges for the Buronga Gol Gol urban release area (Part 6 of the draft Wentworth Local Environmental Plan 2010). The plans also cover other parts of Wentworth Shire such as Wentworth Township, Dareton and Pooncarie.

It is noted that not all townships are affected by all three Section 64 plans.

Section 64 plans are attached as a set under Appendix 4.

Council is finalising its project plan and tender brief for preparation of Part 5B Contributions Plan for Buronga Gol Gol. The Plan will include direct and indirect community infrastructure contributions, and the Plan will be informed by the Buronga Gol Gol Social Plan, Traffic Management Plan and Environment Plan as prepared in November 2006 and adopted by Council in July 2010. The Plan will take into account the 20000 dollars cap imposed by the New South Wales Government on Section 94 / Part 5B contributions. Another key feature of the Plan will be an emphasis on volunteer planning agreements to enable Council to negotiate with developers of land development the provision of assets and infrastructure as part of Council's annual capital works program.

3 BURONGA GOL GOL LOCAL ENVIRONMENTAL STUDY

3.1 *The need for a Local Environmental Study*

The need for a Local Environmental Study for Buronga Gol Gol originated when Wentworth Shire Council proposed to amend the existing Wentworth LEP 1993 in order to rezone land at Buronga Gol Gol. On 21 June 2006, Council resolved to notify the Department of Planning that they wished to prepare Amendment No. 26 to the existing Wentworth LEP 1993 and subsequently Council wrote to the DoP on 17 July 2006.

In their correspondence of 17 July 2006, Council advised the DoP that the following matters would be investigated:

- Adjustment of the zoning of some existing 2(v) Zoning at Buronga Gol Gol;
- Rezoning of 1(d) Future Urban zoned land and some 1(a) Rural zoned land for residential use;
- Updated provisions for heritage and bushfire management;
- Preparation of a Development Control Plan;
- Consideration of riparian areas;
- Buffering between land uses;
- New development servicing plans.

In a response letter dated 24 August 2006, the DoP instructed that a Local Environmental Study be carried out in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 to support the proposed land use changes at Buronga Gol Gol. The letter specifically referenced that the matters in Councils letter be addressed in addition to servicing and staging of the land release and consideration of the use of an environmental overlay in the Draft LEP.

Council responded to this correspondence on 6 February 2007 advising that in the Councils opinion, that the requirements for an LES for the land use change at Buronga Gol Gol had already been satisfied by the Stage 1 Report and Structure Plan which had been undertaken in accordance with the previous "Agreed Terms of Reference".

On the 21 March 2007, the Director General of the Department of Planning wrote to Council to acknowledge that sufficient information already existed to constitute the required LES and that the Council should liaise with the Departments Regional Office regarding the extent and content of the LES. Subsequent to this letter after a series of meetings and discussions, an agreement

between the DoP Regional Office and Council resulted in the production of an LES document by Parsons Brinkerhoff. The LES document draws together the previous planning work from documents such as the Stage 1 Report and the Structure Plan and addresses the various issues associated with the development of Buronga Gol Gol.

After a resolution of Council on 16 May 2007, Council advised the Department on 26 May 2008 that the proposed Draft Amendment 26 to the Wentworth LEP for the rezoning of Buronga Gol Gol would be incorporated into a Principle LEP in the Standard Instrument format that would apply to the entire Wentworth Shire. The Department responded to the Council on 16 June 2008 advising that Council should continue with the preparation of the Draft LEP and that the LES should continue to be prepared to support the proposed land use changes in Buronga Gol Gol. It was noted in this correspondence that the Principle LEP would essentially be a 'conversion' of the existing Wentworth LEP into the new Standard Instrument format and that broad land use change would be confined to the Buronga Gol Gol area.

It was considered by the DoP that particular issues such as flooding and land contamination required more detailed investigations than had previously occurred and as such Council commissioned a series of additional reports to support the LES. As time has elapsed since the preparation of the LES, it should be noted that some statements and references contained in the LES may have altered and as a result may no longer be relevant. This Addendum Document seeks to state the current position of the Council and outline the current content of the Draft Wentworth LEP 2010.

The following Sections provide a summary of the various issues and strategic planning work that has been completed to support the proposed changes in the current Draft Wentworth LEP. Section 4 of this Report will directly address the specific matters that will be addressed as part of the Draft Wentworth LEP 2010.

3.2 Flooding

The Structure Plan (Section 5.3.6) recommended that prior to any zoning changes that an assessment of flood risk be carried out in accordance with NSW Government Floodplain Management Policy and approved by the relevant authorities. The recommendation for investigations in to the issue of flooding arose from the background investigations into drainage patterns and flood information that is contained in Section 6.2.1 of the Stage 1 Report.

The examination of flooding and flood assessment initially completed by Sinclair Knight Mertz in 2004 was limited to the completed flood study which identified the extent of flood free land in Buronga Gol Gol above the 1% AEP (Annual Exceedance Probability) more commonly referred to as the 1:100 year flood. This approach is consistent with Council endorsed flood policy (LES Section 4.4.4). However, it was considered that additional information was required on the flood behaviour of the area and consequently, the Wentworth Flood Study was commissioned.

3.2.1 Wentworth Flood Study 2005 and Wentworth Flood Risk Management Study and Plan 2010 – Analysing Flood Behaviour

As part of the preparation of the Wentworth Flood Study 2010 the area of land susceptible to flooding was identified generally from Gol Gol to Wentworth. The area subject to flooding was shown on Figure 2 which is used as the basis for Flood Planning Maps. The study was based on a detailed two-dimensional flood model which documents peak flood levels, flow velocities and flood extents for a range of design floods including the design 100 year recurrence flood. The Flood Study was been prepared in accordance with standard practice and by applying procedures outlined in the NSW Floodplain Development Manual (2005) and a range of related Floodplain Risk Management Guideline documents published by the Department of Environment & Climate Change.

In terms of the Buronga Gol Gol area there is a linear area of land along the Murray River that is located within the Flood Planning Area. In the 1% flood event the area of land susceptible to flooding would be greater than the area shown if it were not for flood mitigation controls that have been in place for a long period of time. Such controls include the regulator at the intersection of the Sturt Highway and Gol Gol Creek.

The Gol Gol Creek is fed by the Murray River and relies on a high river in order to have water within it and to provide irrigation supply to landowners abutting the creek. At times of flood the regulator is demobilised which provides relief to land upstream of the creek that would normally be inundated by the backwater of the creek fed by the Murray River.

At the time of preparing the Local Environmental Study in August 2008, the potential for overtopping of the Sturt Highway at the Gol Gol Creek crossing has also been investigated as part of the Flood Study. These investigations indicate that minor overtopping of the Highway could occur at the 1% AEP. Section 4.4.4 of the LES indicates that this risk could be potentially managed by the sandbagging of the roadway crest to prevent overtopping and flooding of low lying land that adjoins Gol Gol Creek north from the highway. Since that time, the Lower Murray Darling Catchment Management Authority has undertaken further improvement works to the Creek and also the regulator system. Effectively the risk of overtopping at the Sturt Highway is considered negligible following the rehabilitation project of Gol Gol Lakes and ephemeral systems.

Notwithstanding the regulator, Council has retained the rural zoning of land upstream of creek including those adjoining the Gol Gol Lake. This area is identified as land north of Lot 50 DP1038712, number 16 Gol Gol North Road. Lot 50 DP1038712 also forms the eastern and northeastern edge of the Gol Gol urban release area.

Land to the east of Gol Gol Creek is zoned R5 Large Lot Residential and has potential for flood event if the flood level exceed 1 in 100 year AEP. The balance of land in Gol Gol Township is protected from flood event at 1 in 100 year AEP.

Similarly a regulator and culvert has been in place near Corbett Avenue industrial area at the western side of Silver City Highway as part of flood mitigation measures for the purpose of floodplain management. Flood Planning Map CL1-011 identified the extent of flooding within the

perimeter of Buronga Gol Gol urban release areas. The flood regulators are in place to protect the existing developed land and new proposed areas from the 1 in 100 year recurrence flood.

Council will utilise the findings from the Wentworth Flood Risk Management Study and Plan 2010 to consider measures to further strengthen and/or improve flood mitigation measures in the Wentworth Shire.

3.2.2 Zoning of land subject to flooding

Section 4.4.4 of the LES identified that an area of land located on the Sturt Highway which was a recommended candidate area included in the BGGSP for rezoning for residential use (RU5) had the potential to be affected by flooding in a 1 in 100 year recurrence flood. After additional investigations undertaken by Worley Parsons in addition to the Wentworth Flood Study 2010 this land has now been identified as being contained within the flood planning area (identified at Figure 3). Therefore, it is not considered appropriate for the land to be included in the RU5 Village Zone given the flood regime of the locality. As such, the zoning of this land has been recommended as remaining zoned for primary production and this is depicted on Zoning Map LZN016 and also at Figure 4. There is no proposed rezoning of any new land for release as part of the Draft Wentworth LEP 2010 that is located under the 1% AEP; however existing developed areas that are within the 1% AEP will be transferred to an equivalent zone.

Further detailed information in the form of letters and mapping from Worley Parsons in relation to the flooding regime of the locality is provided at Appendix 5.

It has been recommended that all buildings and development on the land should be constructed in accordance with the requirements of Council's Flood Policy. In this regard, all residential dwellings should be constructed with a minimum floor level equivalent to the flood planning level (FPL); that is 750 mm above the predicted peak level of the 100 year recurrence flood, as specified in the 'Wentworth Flood Study' (2010) (LES Section 4.4.4).

FIGURE 1

DRAFT



LEGEND

Locations where the Flood Planning Area is limited to the extent of available terrain data.



WorleyParsons
resources & energy

Fig2258_02-Wentworth FPPIMS
Fig2258_02m020807-FPA.doc

EXTENT OF FLOOD PLANNING AREA

Figure 2 – Flood Planning Area

FIGURE 2

DRAFT



Note: Flood planning area and 100 year flood extents have been mapped to LiDAR terrain data.



tp2058_01-Gol Gol Structure Plan
Figure 2 - Draft FPA & 100yr Flood Extents.doc

**DRAFT BURONGA – GOL GOL STRUCTURE PLAN
FLOOD PLANNING AREA AND 100 YEAR ARI FLOOD
EXTENT BASED ON POST LIDAR DATA FLOOD MODELLING**

Figure 3 – Flood prone land at Sturt Highway and Dawn Avenue Buronga

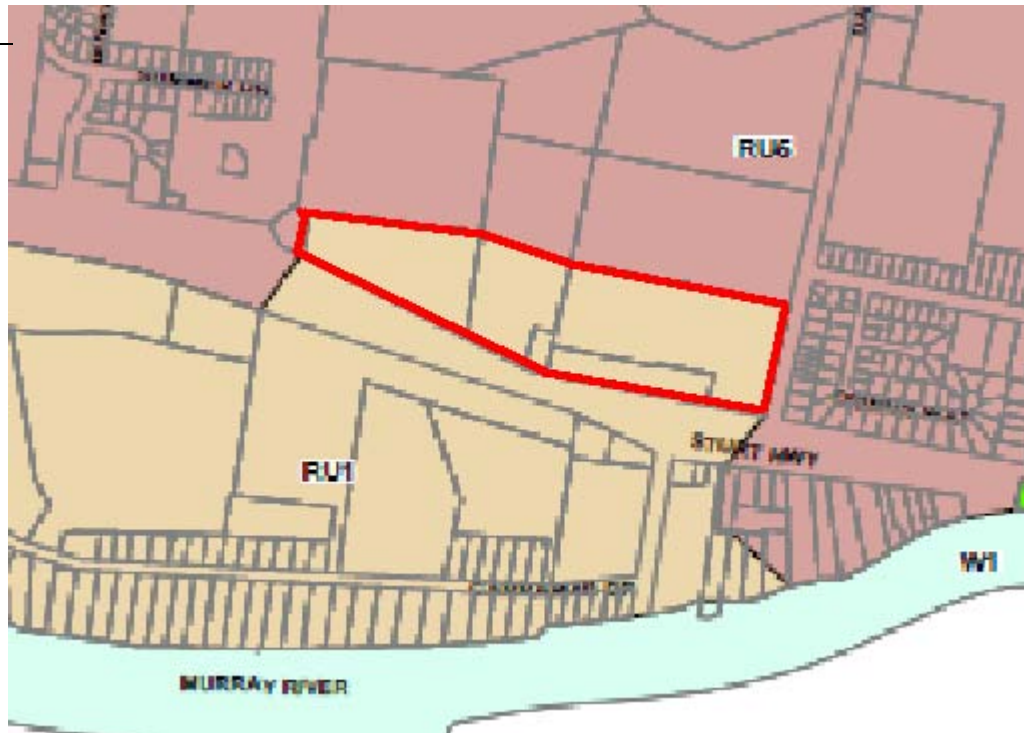


Figure 4: Sturt Highway land formerly recommended for Residential Zoning now to be zoned RU1 Primary Production

3.3 European and cultural heritage

Protection of cultural resources

The current 1993 LEP provides protection for 29 heritage items that were previously identified in the 1989 Heritage Study undertaken by Hassell Planning Consultants. The study also identified a further 74 items of heritage significance that were not included in the 1993 LEP.

A heritage assessment was carried out for the study area in 2004 and included in Section 6.4 of the Stage 1 Report. This assessment was based on existing information from academic studies, both published and unpublished; previous heritage management reports; heritage registers; historical maps, and consultation with relevant representatives of the local Aboriginal community and Department of Environment and Conservation (Stage 1 Report Section 6.4).

The study set out with the principal aim to identify previously recorded sites, both Aboriginal and historical, and to identify any potential cultural heritage constraints. It did the latter with the objective of providing predictive statements regarding sites and relics that have not previously been recorded as well as providing a breakdown of the study area into zones of archaeological sensitivity based both on known site locations and potential locations. These predictive statements are based on a review and assessment of current knowledge regarding site patterning from the local and regional areas (Stage 1 Report Section 6.4).

Section 4.4.9 of the LES outlines the process and use of predictive modelling for potential archaeological sites that was undertaken as part of previous studies. Locations that are likely to contain an archaeological site but where the specific site is not known have been included in Appendix A the DCP. This section of the DCP identifies:

- the location of such areas where sites could occur;
- the characteristics that result in such an area;
- what investigations should be undertaken in the event of development being undertaken in such an area;
- what actions to take if an archaeological item is found.

A map of the identified area is included at Appendix 6.

The Draft Wentworth LEP 2010 proposes the inclusion of 79 selected items identified in the 1989 Heritage Study to those listed under the 1993 Local Environmental Plan. In addition, the LEP requires consent for the demolition, alteration or subdivision of a heritage item and disturbance of an archaeological item and contains a specific Clause covering the protection of Heritage Items.

Field inspections of each heritage listing (proposed new listing to Schedule 5) have managed to reduce the number to 74. Listings deleted are due to the fact that the buildings have been demolished and there is no further significance to retain the listing of a vacant site. The 1989 Heritage Study provides to the extent the level of significance and it is acknowledged that heritage practice does include rather than preclude sites previously having items of cultural significance. In addition, property descriptions are now added to each site / place of heritage significance.

Council will consider a review of its 1989 Heritage Study in the foreseeable future.

In accordance with recently published circular from the Department of Planning, places of Aboriginal cultural heritage significance have not been mapped or identified in the Schedule 5 to the draft Wentworth Local Environmental Plan 2010.

3.4 Contaminated Land

Sunraysia Environmental Pty Ltd undertook, in November 2007, soil sampling and analysis from an extensive area of land between Buronga and Gol Gol. The total area was approximately 195ha. The soil testing was done as a preliminary indication of the presence of agricultural chemical residues, if any. The study was necessary to meet State Environmental Planning Policy No. 55 which sets the requirement for managing land contamination in accordance with guidelines set by the NSW Department of Environment Climate Change and Water (DECCW).

The results from the tests and that of other tests undertaken for specific development sites provide a total of nine sites across the investigation area that were analysed. Based on a site

history, testing of the soil for Agricultural Chemical Residues Screen revealed that no contamination had occurred for the parameters analysed.

In addition to the information outlined in Section 4.4.14 of the 2008 LES, additional work has been carried out by Sunraysia Environmental in order to satisfy all requirements of SEPP 55 and DECCW in relation to land contamination. Initial work carried out only included consideration of the existing nature of the land but did not consider the historical use of the land giving rise to the potential for contamination to be present. This has now been completed and included a literature review, discussions with Western Murray Irrigation, Wentworth Shire Council and the EPA, review of historical and recent photographs.

The report concluded that based on the history of the use conducted on the land, other than irrigated horticulture there are no uses that have had the potential to cause contamination on the land within the area to be rezoned. The likely contamination of land could be related to the storage of fuels, mixing of chemicals and the like. As a result any contamination would be on a very specific and site related basis. It was not considered appropriate to take investigations any further at this point. It would however be appropriate to ensure that specific investigations be undertaken on land when it is proposed to be developed for a sensitive use. Such an investigation would identify any contamination and ensure it is dealt with accordingly.

The conclusion above does not rule out the presence of contamination from Agricultural Chemical Residues Screen at localised points (hot spots) or the presence of other chemical residues not covered in the agricultural residues screen. It is therefore important that individual developers conduct a Stage 1 Preliminary Investigation as part of the development approval process for each parcel of land as subdivision occurs.

The following provision has been inserted in the Buronga Gol Gol Development Control Plan to manage the contaminated land hotspots:

Contamination report

In accordance with the provisions of State Environmental Planning Policy No 55, an assessment of the likely contamination of the land is to be completed in accordance with the relevant guidelines under this policy.

For proposals involving the subdivision of land in the Buronga and Gol Gol area into two lots or more where the former land uses involve dryland farming or irrigated agricultural, a contamination report is required to locate any hotspots for land contamination, a contamination analysis for cumulative effects across the whole of subdivision and contamination treatment plan for any discovery of hotspots. Site rehabilitation plan will be included as a condition of development consent.

For proposals involving the development of land for dwelling where the lot exists on the commencement of Wentworth Local Environmental Plan 2010 and no subdivision is proposed, a localised contamination report is required to make discovery of any land contamination within the boundaries.

The area of investigation for the study is identified at Figure 5.

The Soil Testing for Contamination November 2007 is included at Appendix 7.

The Site History for Potential Land Contamination December 2008 is included at Appendix 8.

Addendum 2 Contaminated Site Investigation (Heavy Metals) August 2009 is included at Appendix 9.

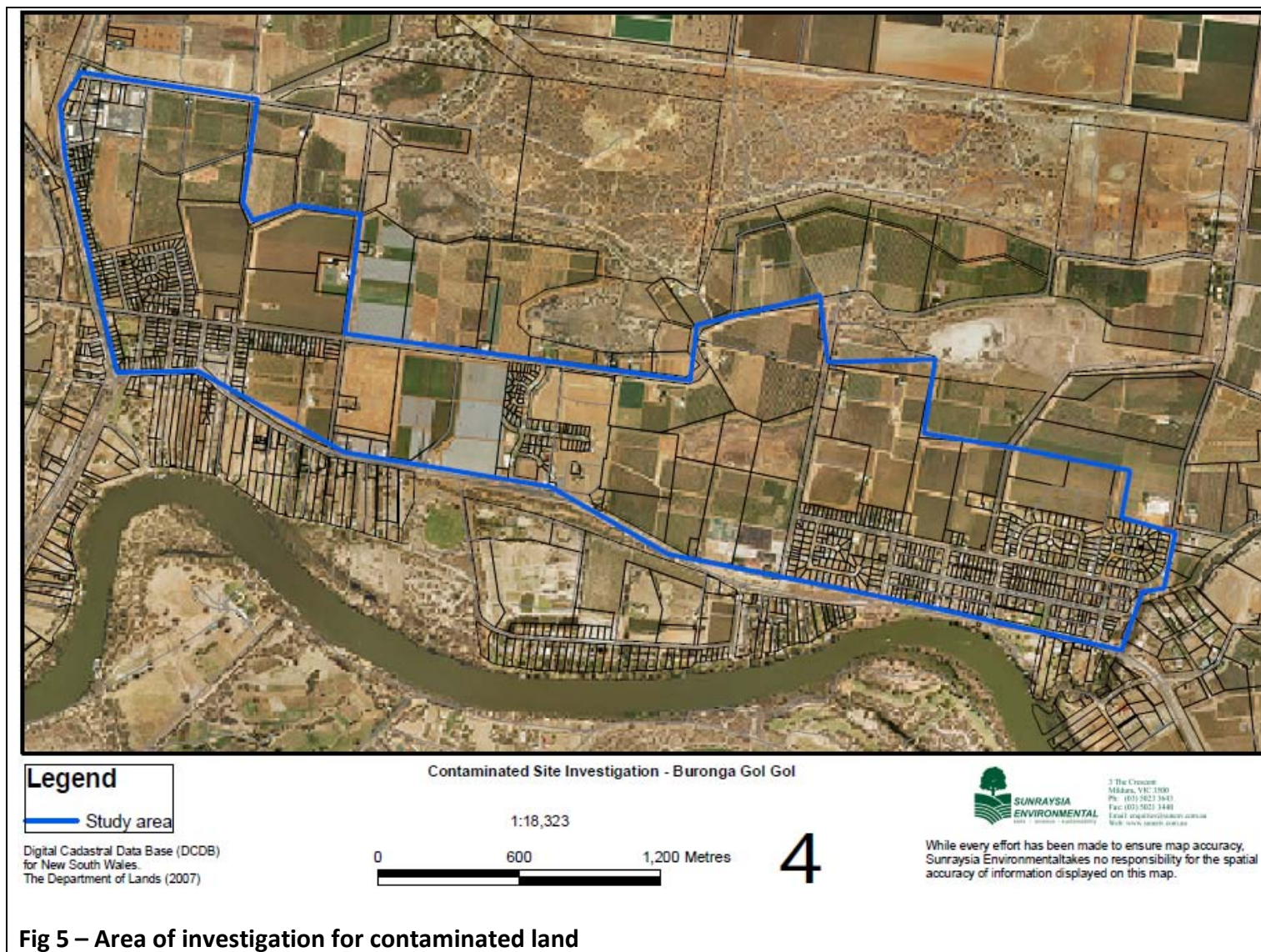


Fig 5 – Area of investigation for contaminated land

3.5 Environmental Issues Buronga Gol Gol Study Area

3.5.1 Background

Section 6 of the Buronga Gol Gol Stage 1 Report identifies the existing environmental issues in the study area. The Report found that as a result of the existing land use patterns:

- Remnant vegetation is limited in the study area due to current land use patterns.
- Most development takes place within 1km of the Murray River which impacts on the conservation value of the riparian zone;
- There is little bushfire hazard in the area due to a lack of native vegetation and fuel on the urban interface and the presence of buffer zones in the form of horticultural land use;
- The river and creek frontages have little native vegetation left on lots with established dwellings;
- There is potential for threatened species to exist in the broader study area;
- Bank stability of the Murray River has been interfered with through the removal of native vegetation and property owners undertaking work on the bank; and
- There is no public access to the river where there are residential lots with dwellings disrupting drainage corridor continuity (Stage 1 Report, Section 1 6.2.1)

In the context of these findings, the Environment Report identified locations within the study area (See Table D below) that are worthy of protection or require remedial action (see Figure 6). None of the identified areas are located within the area recommended for increased development intensity or rezoning. The provisions contained in the Buronga Gol Gol DCP will ensure that new development does not result in further damage in these areas; however Council will need to undertake remedial action separate to this process.

Table D: Areas Identified For Protection or Remedial Action in the Buronga Gol Gol Study Area

<u>Area identified in the Environmental Plan and indicated in Figure 6</u>	<u>Reason for identification</u>	<u>Proposal to address this issue in the Draft LEP</u>
1. Riverside open space	Visual amenity and riparian value	Zoned for recreation purposes
2. Carramar Drive	Potential for erosion and bank instability at boat ramp	Remain zoned for residential use. Land valuations in this residential area meant that acquisition of land for foreshore reserve or small reserve for public access is limited.
3. Native vegetation south of	Remnant vegetation	Zoned for recreation

the playing fields		purposes
4. Buronga Wetland	Stability of stream bank	Zoned for recreation purposes
5. Chaffey Bridge area	Remnant vegetation	Zoned for recreation purposes
6. Salt affected basin	Salt basin that provides some habitat	Zoned for primary production
7. Gol Gol Creek	Bank stability issues and importance of maintaining habitat connectivity	Remain zoned for residential use.
8. Alcheringa Crown Land	Remnant vegetation	Zoned for environmental protection purposes

Source: Adapted from Section 2.2.2 of the Environmental Plan

3.5.2 Flora and Fauna

Investigations undertaken as part of the 'Environmental Plan' (Section 2.1.2) found that given the intensity of the agricultural activities within the "development area" which is recommended for rezoning (as distinct to the study area referred to in the Structure Plan) there are few if any items which remain of high ecological value.

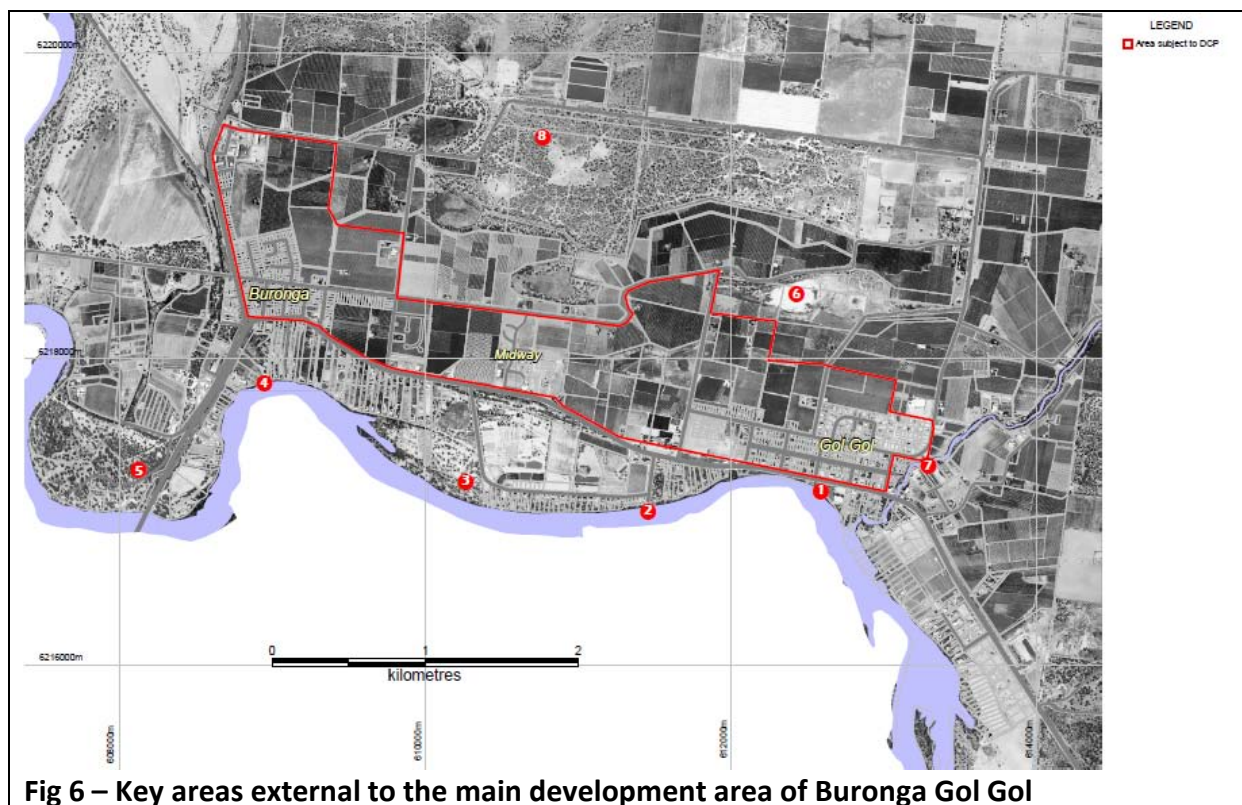


Fig 6 – Key areas external to the main development area of Buronga Gol Gol

In addition to the Environment Report, consideration of flora and fauna issues has been undertaken by the Department of Environment and Climate Change and Water (DECCW)

within the area that is subject to rezoning. After consideration of the locality DECCW have confirmed in writing they have no issues with the proposed rezoning in the Buronga Gol Gol locality, this letter is included at Appendix 10. The DECCW states that the land identified for rezoning has little remnant vegetation and is heavily disturbed as a result of intensive farming activities. Despite the potential for threatened species to exist in the study area being previously highlighted in the Stage 1 Report (Section 6.2.2), DECC has confirmed that the highly modified nature of the land identified for development means that these species are most likely visitors to the area using modified habitats.

In recognition of the Stage 1 Report and Environment Report findings, the protection of remnant habitat in the study area is occurring in the Draft LEP through the zoning of areas of identified environmental significance for protection in addition to the use of the environmentally sensitive land overlays. The Stage 1 Report (Section 6.2.1) identified that habitat of value that is outside of the rezoning area that may be affected by some indirect results of development such as stormwater runoff and as a consequence the DCP also contains provisions that require new developments to manage these potential environmental issues.

3.6 Buffers between residential and agricultural and industrial land at Buronga Gol Gol

The Stage 1 Report identified that the study area has large areas under intensive agricultural uses including grapes, fruit trees and more specialised industries. Currently nearly all residential areas within the study area have frontages to intensive agricultural land which creates potential for conflicts between existing and future agricultural land uses and other land uses including residential and industrial development (Stage 1 Report Section 8.6).

The Sub Regional Strategy (1998) identified the need to incorporate buffer designs within residential subdivisions to separate intensive agriculture and industrial uses within the study area. It is apparent from the state of current development within the study area that buffers between residential land uses and intensive agriculture have not been incorporated within subdivision design.

The Structure Plan required the provision of buffers (Section 4.3.2 & 5.3.3) between uses that have the potential for negative impacts. Despite the previous lack of buffers, the implementation of a buffer system is proposed between the land recommended for residential and industrial development and existing agricultural land. This buffer system will be enacted through Chapter 8 of the DCP. The buffer will ensure a separation of residential development from the intensive agricultural activities located on the northern side of Pitman Avenue as well as future industrial development in the north-western corner of the development area (as depicted in Figure 7). The buffer is shown in the northern most section of the figure with a green landscaped section.

The key principle behind the buffer system is that it is unreasonable for existing land uses to be encumbered with the requirement for such buffers to be included on their land. As a

result such buffers are proposed to be included on the land benefiting from the rezoning and future development. The buffer is not necessarily provided to screen the view of agricultural or industrial land however more so to increase the distance between the uses, limit views and provide the opportunity to provide extensive landscaping within the buffer area.

The buffer will be included on the developable land which is contained within the RU5 zone. Such an approach is considered to be an appropriate response and something that will result in a positive outcome given that the buffer will be located on land that will benefit from the development taking place rather than impacting on existing land uses.

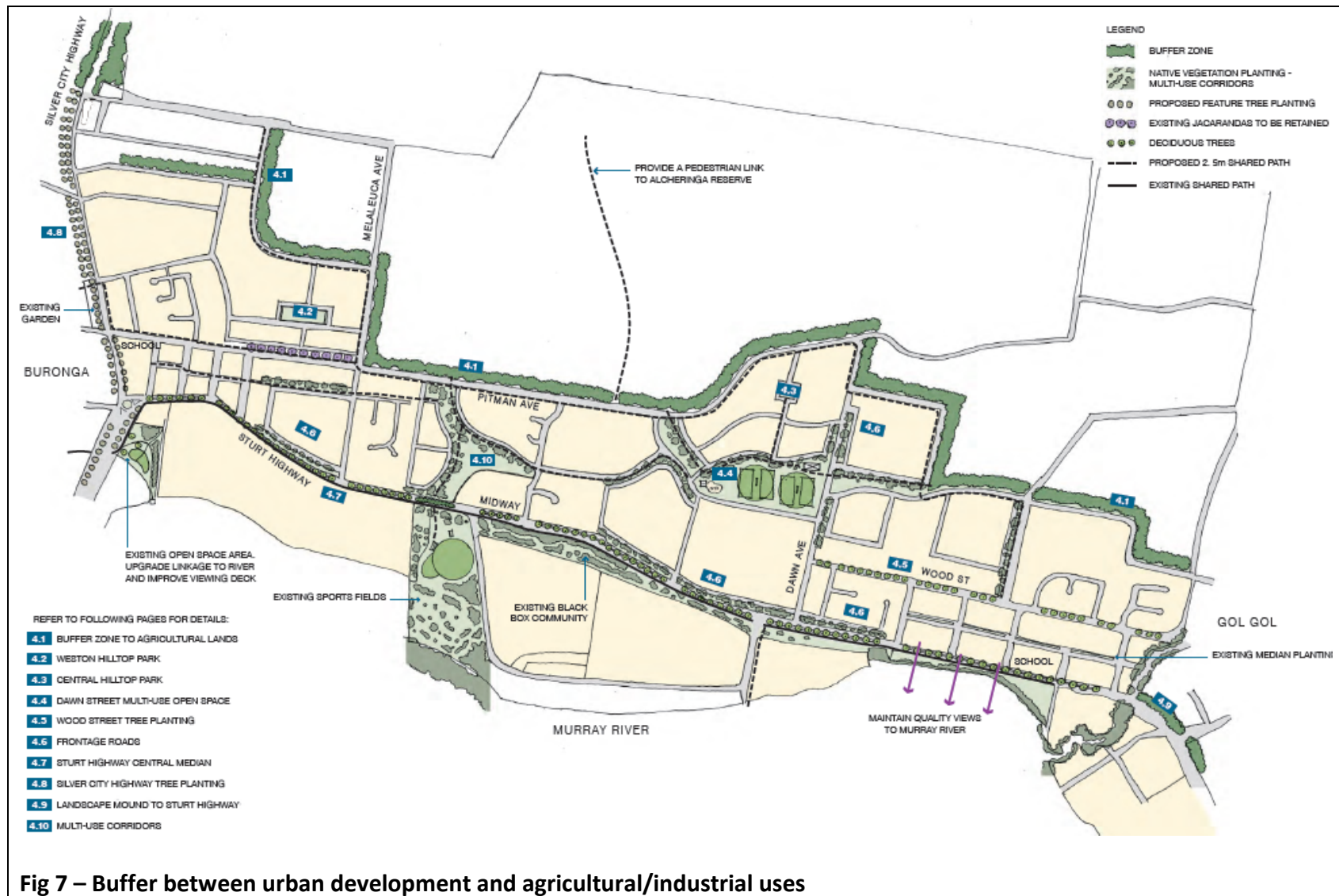
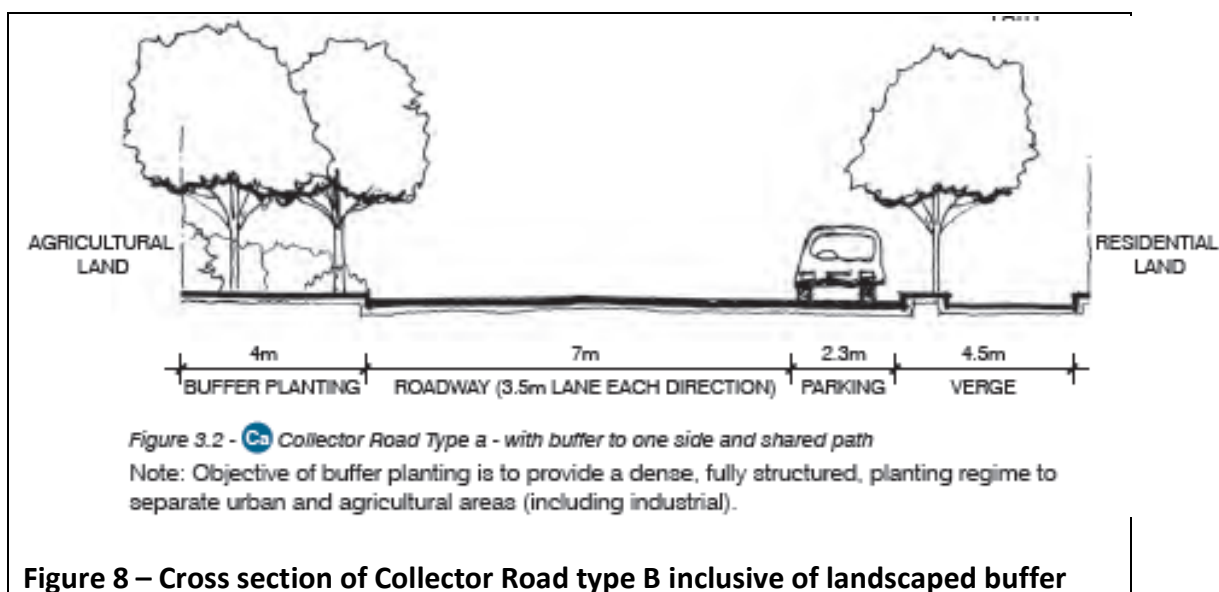


Fig 7 – Buffer between urban development and agricultural/industrial uses

The concepts behind the buffer are demonstrated in Figure 8 which provides a cross section of the road reserve where the buffer will be located. The buffer enables the incorporation of pedestrian and cycleway access, safety and security and intensive planting particularly on the northern side of Pitman Avenue to ensure clear separation of residential from agricultural and other land uses. In addition to this the houses on the southern side of Pitman Avenue will be required to have a setback of 10m from the property boundary.

The cost of the buffers and their establishment will have been included in the contributions plan being prepared. This will ensure a relationship between the need for the buffer and the land benefitting from the buffer.



3.7 Stormwater, Drainage & Water Quality Management

3.7.1 Background

The Stage 1 Report (Section 6.2.1) found that one of the most significant issues within the study area is the management of and use of existing water resources. Preliminary assessment of water resources has been completed and within the study area the following key resources include the Murray River, Gol Gol creek, the existing floodplains and wetlands.

Substantial sections of the existing creeks and water bodies have been altered in some form by the inclusion of dams and other storages 'on line'. Most of the perennial waterways within the study area have large parcels of land zoned for development adjacent to the waterway or within the floodplain. For example:

- Gol Gol swamp has encroaching development on one side of the floodplain;

- Gol Gol Creek has encroaching development on both sides of the creek;
- The Murray River has large sections of river edge that is privately owned (Stage 1 Report Section 6.2.1).

3.7.2 Current context

The system for the management of runoff from land within the area being rezoned is extensively in place with the parameters being set by the landforms and the existing infrastructure.

In the area already developed for residential use the land is gently undulating with the topography of the area falling to the Murray River and the balance to Gol Gol Swamp. In each case prior to the stormwater entering its final destination it is treated through a series of ponds/wetlands and gross pollutant traps (GPT's) in order to reduce the amount of suspended elements it contains and pollutants that may be harmful to the environment. Such infrastructure largely exists, however it will be further enhanced during the development of each area.

In addition to the existing measures, designs and considerations have been built into the developable land through provisions in the DCP which include linear path and open space that will be vegetated and act as links from the river to the north of the rezoning area. Through such an area stormwater will also be treated before it arrives at its final destination either the Gol Gol Swamp or the Murray River.

Development guidelines and design controls contained in the DCP aim to provide bed and bank stability protect water quality; maintain viability of riparian vegetation and to provide continuity and connectivity of the River.

- Major development proposals including subdivision, residential accommodation, tourist and visitor accommodation, are to provide buffer corridors between development and the Murray River.
- Where possible the corridor is to be revegetated and planted with species native to the River and to facilitate habitat protection along the frontage to the Murray River.
- The minimum depth of the buffer corridor (river front building line) is 40m for all properties in exception to the properties of Carbone Court (which has already been subdivided), where the corridor is reduced to 30m. Information to justify this reduction has been addressed in a separate document provided to the Department of Planning. It is

considered that development on those lots with a reduced setback can still satisfy the requirements of the Murray REP 2.

- Stormwater is to be captured and treated outside of the buffer corridor prior to discharge to the River;
- Incorporation of water sensitive urban design principles for new development;
- Requirements for stormwater and erosion management measures as part of any new development;
- In areas of existing riparian corridors, the buffer corridor may be increased to ensure that the existing good condition vegetation remnants in the specific riparian corridor are managed.

3.8 Multi Use Corridors and Open Spaces

The Structure Plan proposes a number of multi-use corridors throughout Buronga Gol Gol. These multi-use corridors are located both within the areas recommended for residential development and link to drainage systems located outside the boundaries of residential areas. Multi use corridors are an important component of the Structure Plan and build on the attributes of the buffer system including movement corridors for birds and other animals linking rural land to the north to the river corridor to the south and along the western part of Alcheringa Drive coinciding with existing drainage regime (Structure Plan 4.3.2).

It is anticipated that most of the multi-use corridors will be dedicated to Council as part of the subdivision process and at that time Council would negotiate with the developer the embellishment and development of those corridors as well as suitable maintenance agreements for the ongoing establishment and management of the corridors prior to Council accepting those areas as public lands.

However in conjunction with this approach Council will develop a contribution plan under Part 5B of the *Environmental Planning and Assessment Act 1979* for the multi-use corridors that is applied to all development within Buronga Gol Gol that:

- identifies the m2 cost of acquiring land outside the residential area to ensure links to essential drainage basins; and
- identifies the m2 cost to all future development within Buronga Gol Gol to embellish, develop (Structure Plan, Section 6.3.2)

3.9 Wetlands

A number of managed and unmanaged wetlands are already located within the Buronga/Gol Gol area study area (not in the rezoning area). The Stage 1 Report (Section 6.2.1) recommended that a comprehensive assessment on the capacities and effectiveness of all existing wetlands be carried out to determine whether they will be able to facilitate additional flows as a result of new development. At this stage, these investigations have not been carried out.

Council has secured funding from the Natural Heritage Trust (NHT) for the development of four wetland sites. This work will include the upgrade of the existing outlet at Wood Street and the construction of three wetlands referred to as:

- Alcheringa;
- Buronga;
- Pittman;

Two other known wetlands exist within the area but there are no plans for upgrading or development of these wetlands (Stage 1 Report Section 6.2.1).

These areas will be zoned for environmental management in the Draft LEP and in order to ensure that drainage into these areas is properly considered, the DCP requires that all new developments submit a drainage plan as part of the development application. Future investigation into the effectiveness of these areas for drainage will be required after the upgrade works have been completed.

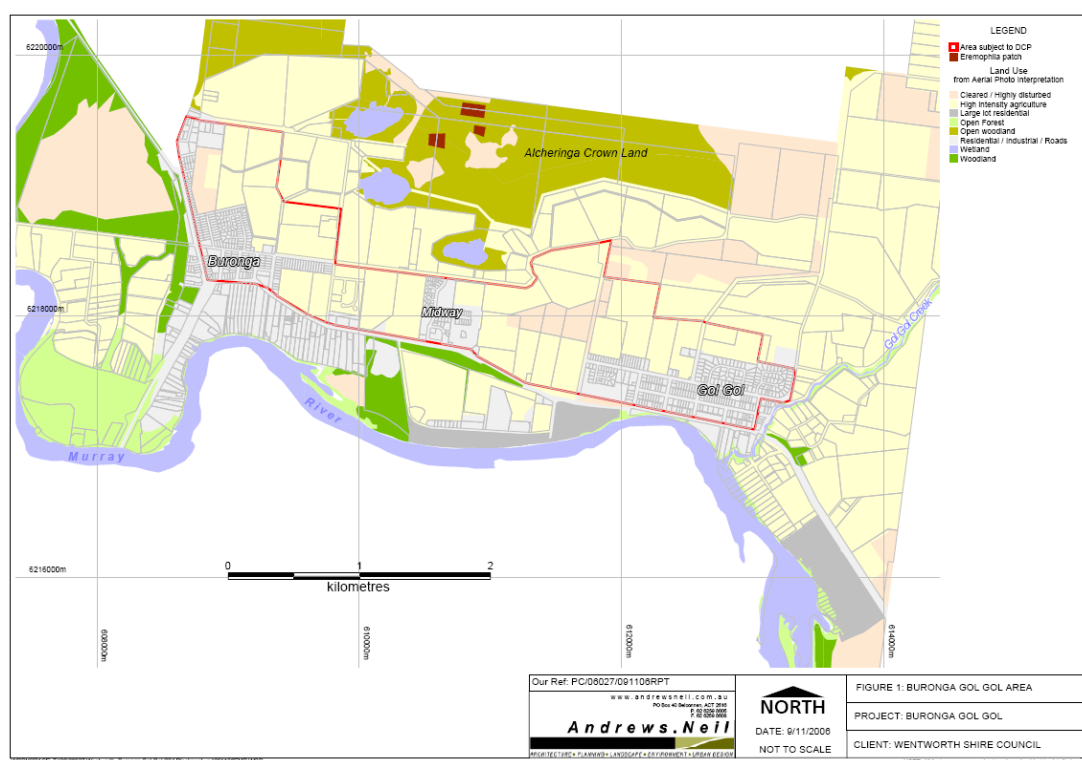


Figure 9: Wetlands in the Buronga Gol Gol Study Area

3.10 Traffic Management

Two levels of assessment of transport and traffic systems have been completed for Buronga Gol Gol. These include the Stage 1 Report for the Buronga Gol Gol Structure Plan and the detailed Traffic Management Plan supported by the NSW Roads and Traffic Authority (RTA).

The Stage 1 report for the Buronga Gol Gol Structure Plan included a detailed strategic assessment of transport systems in Buronga Gol Gol. This strategic assessment included:

- An assessment of the constraints and opportunities of the existing transport systems; and
- Examination of the key issues likely to impact on the expansion of Buronga Gol Gol.

The key opportunities identified by the strategic assessment that are reflected in the subsequent transport management plan for Buronga Gol Gol were:

- The physical planning of the road environment along the Sturt Highway should take account of the long term implications of this route being downgraded;
- The construction of a regional bypass (the Mildura bypass) will result in reduced volumes along Sturt Highway through the study area and will create an opportunity to provide an improved level of amenity and safety, with streetscape improvements;
- There are opportunities to improve the streetscape throughout the study area generally and this should be undertaken on the basis of urban design concept layouts for various road classifications;
- There may be a possibility of providing a local bypass on the northern side of the study area as an alternative to the regional bypass. This would provide an opportunity to divert heavy vehicles and this may be able to maintain the operation of existing truck stops;
- The number of intersections along Sturt Highway can be reduced, with the result that increased volumes will occur on designated collector routes where interchange with Sturt Highway will be possible;
- There may be opportunities to encourage the commercial centres to be orientated away from Sturt Highway to provide reduced conflicts (LES Section 4.4.11).

In response to the traffic assessments, the DCP contains recommendations for traffic management which seek to address the findings of the reports. These are outlined in Section Part B 1.0- Strategic Context of the DCP. In addition to those recommendations contained in the DCP, Council will need to investigate and act

upon some of the larger strategic opportunities (such as the bypass) that have been identified.

Some of the main guidelines for management of traffic and transport systems contained in the Buronga Gol Gol DCP include:

- Improvements to the arterial road network including the Silver City and Sturt Highway including:
 - o Intersection treatments along both Highways to cater for a range of transport and traffic related movements arising from the future development of Buronga and Gol Gol;
 - o Service road development to enhance the integrity of the Highways;
 - o The provision of landscaped medians and controlled pedestrian crossing points;
 - o Access for emergency vehicles;
 - o The provision of gateway treatments for Buronga and Gol Gol;
 - o Speed control measures; and
 - o Elimination of on-street parking.
- Local road improvements that take into account future constraints and local street hierarchy and function and also includes:
 - o Streetscape and amenity improvements in consultation with the local community;
 - o Central and kerbside landscaping elements, with kerb blisters at key intersections;
 - o Speed control measures including 50km/hr speed limits;
 - o On street parking principles and controls; and
 - o Allocation for kerb space for buses and taxis with further localised planning (DCP Section 1.3.1).

3.11 Infrastructure

A detailed assessment of reticulated water and sewerage services for Buronga Gol Gol has been completed for the study area. This assessment included examining

both the capacities and availability of water and sewerage and the need to upgrade and expand those facilities PB 4.4.12. The Stage 1 Report (Section 7.1 and 7.2) gives a detailed analysis of the existing and future capacity of water and sewer provision in the study area. Council has estimated that there is a current spare capacity of 1938 connections without undertaking any upgrading or augmentation of the existing water filtration plant (PB). The sewage treatment plant at Gol Gol currently services around 2,000 EP. Council has ample capacity within its existing headworks at Buronga Gol Gol to cater for around 8,000 EP (LES Section 4.4.12)

Council is currently implementing plans to ensure that infrastructure is available for development when the existing capacity has been exhausted. In exception to Stage 7 of the Buronga urban release area (see Figure 1 of this addendum report), the Buronga and Gol Gol urban release areas are currently serviced and it is considered to have a larger capacity than planned for the areas combined. Council has identified the base data for preparing an Asset Management Strategy and Plan which would supplement the new Integrated Planning and Reporting Plan for the next ten years from 2011.

In addition to Councils Plans, as the area recommended for rezoning is considered to be an 'Urban Release Area' the LEP contains provisions which require the provision of adequate infrastructure prior to the development occurring. Monitoring of land subdivision and land releases including dwelling starts will inform the infrastructure planning for adjustments to the Asset Management Strategy and Part 5B contributions plan where needed.

4 DRAFT WENTWORTH LEP 2010

4.1 Zoning Conversion

4.1.1 Zone Conversion proposed in the Buronga Gol Gol Structure Plan

Land currently zoned as Future Urban 1(d) zone is being recommended for rezoning in Buronga Gol as part of the Draft LEP. Sections 4.3.2 and Appendix 1 of the Structure Plan contain recommendations for the zoning of particular land parcels in Buronga Gol Gol. Council has recently analysed these recommendations and the response to this can be found in Table E below.

Table E: Zone conversion at Buronga Gol Gol

Map Ref	Proposed rezoning	Area of Land and Location	Outcome as per the Buronga and Gol Gol Structure Plan (BGGSP)

Map Ref	Proposed rezoning	Area of Land and Location	Outcome as per the Buronga and Gol Gol Structure Plan (BGGSP)
Fig 10	Subdivided and developed land within current 1 (d) zoning to RU5 Village	40 ha – Buronga and Gol Gol area	As per Figure 5 Page 9 of the BGGSP, the lands described in the conversion report are to be rezoned RU5 (Village). The subdivision was created in accordance with the provisions of Clause 17A of the Wentworth LEP 1993.
Fig 10	Undeveloped land zoned 1 (d) to be zoned to RU5 Village	133 ha – Buronga and Gol Gol area	As per Figure 5 Page 9 of the BGGSP, lands are to be rezoned RU5 (Village). Strategic justification for their rezoning has been provided in the BGGSP (Section 4.3.2 and Section 4.3.5.) and other documents supplied to the Department of Planning. The bulk of lands are between existing townships of Buronga and Gol Gol.
Fig 14	2 (v) Village land undeveloped and cannot be serviced by Council to RU 1 Primary Production	96ha – Arumpo Road	Section 2.2 of Appendix 1 to the BGGSP confirms that the undeveloped 2 (v) Village land is to be rezoned to RU 1 (Primary Production). Servicing of the land is not planned for at this point in time.
Fig 12	1 (a) land to be rezoned RU5 Village	84ha – Buronga and Gol Gol	Area of land is actually 82ha and held in three separate land ownerships. The area in question is in the north central and north west sections of Buronga. It has been identified in the BGGSP for rezoning to RU5 Village. Comments have been made

Map Ref	Proposed rezoning	Area of Land and Location	Outcome as per the Buronga and Gol Gol Structure Plan (BGGSP)
			to address the 117 direction for Rural Lands and the <i>SEPP (Rural Lands) 2008</i> .
Fig 11	Combination of existing industrial and new unzoned land to be rezoned for light industrial purposes	61ha – Corbett Avenue (next to Modica Crescent industrial estate.	Council has decided to pursue the IN1 General Industrial zone. This is consistent with the other two General Industrial zone districts in Mourquong west of Buronga. The IN2 Light Industrial zone is applied only in Dareton.
Fig 15	Combination of existing land uses for retail and light industrial purposes.	Back Zoning of current 2(v) land west of Chaffey Bridge recommended by the Structure Plan.	Land not already developed is subject to flooding and other constraints and as such it will revert to RU1 Primary production. Land where existing uses are located will be zoned B6 Enterprise Corridor to reflect existing and desired future uses. This Zone will enable Council to manage an area with high flooding hazards.

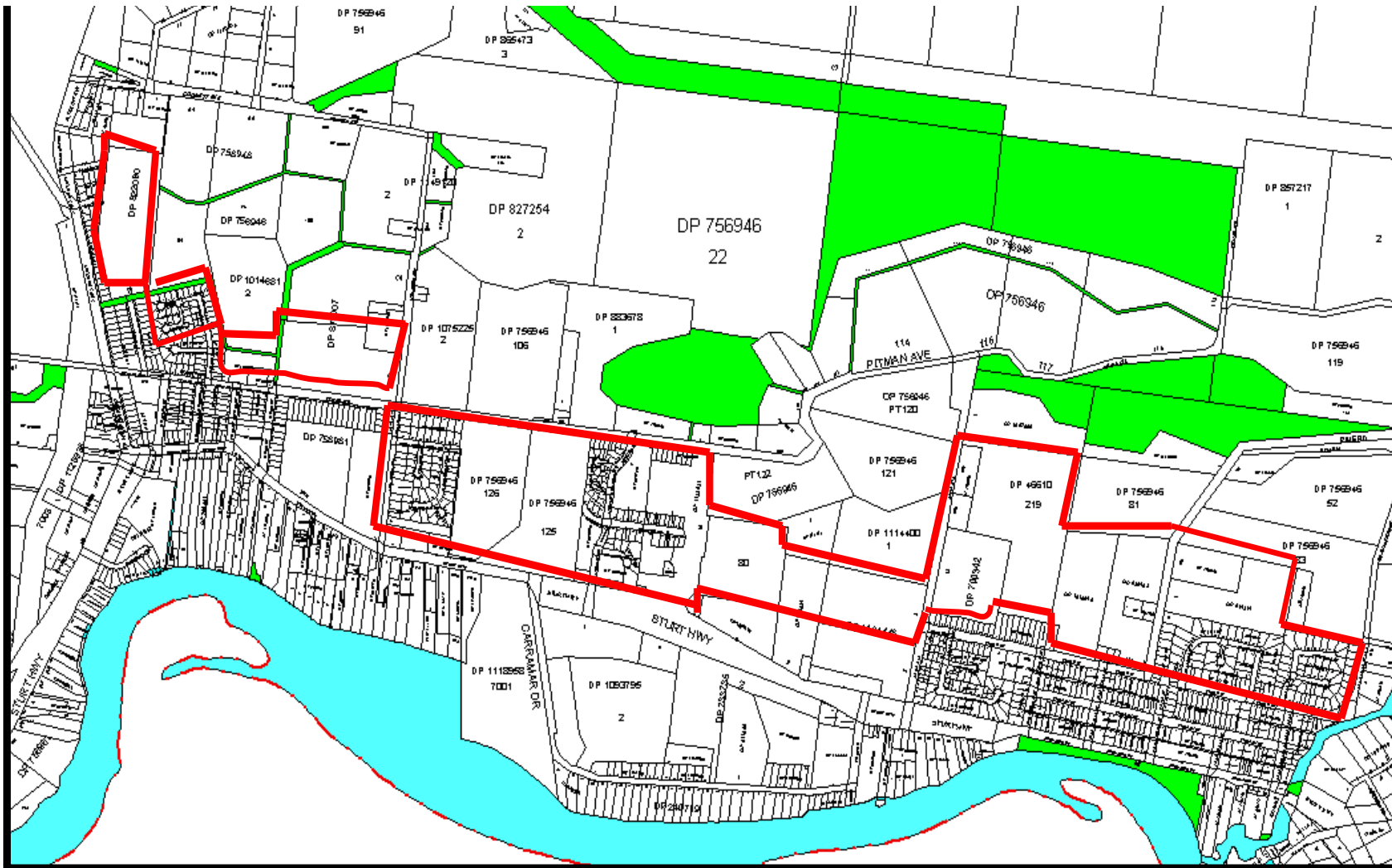


Figure 10: Proposed 1(d) Zone Changes in Buronga Gol Gol to Village Zone.

The Red Line Area represents the area whereby existing 1 (d) Future Urban zoned land will be up zoned to RU5 (Village). The Area includes existing residential subdivision of land.

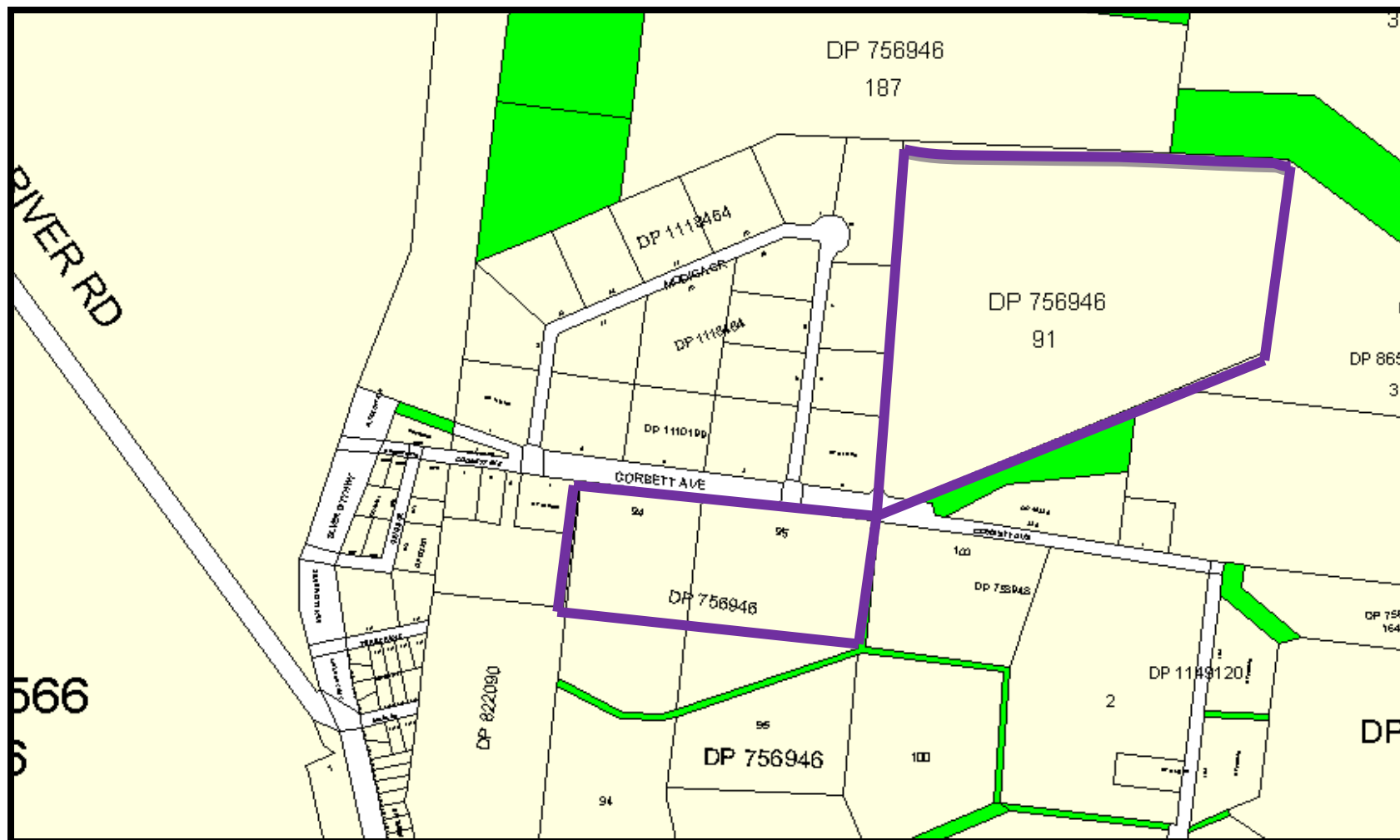


Figure 11: Proposed 1(a) Zone Change in Buronga Gol Gol to Industrial Zone (Corbett Avenue)

The Purple Line Area is the area proposes for up zoning from existing 1 (a) General Rural to IN1 General Industrial

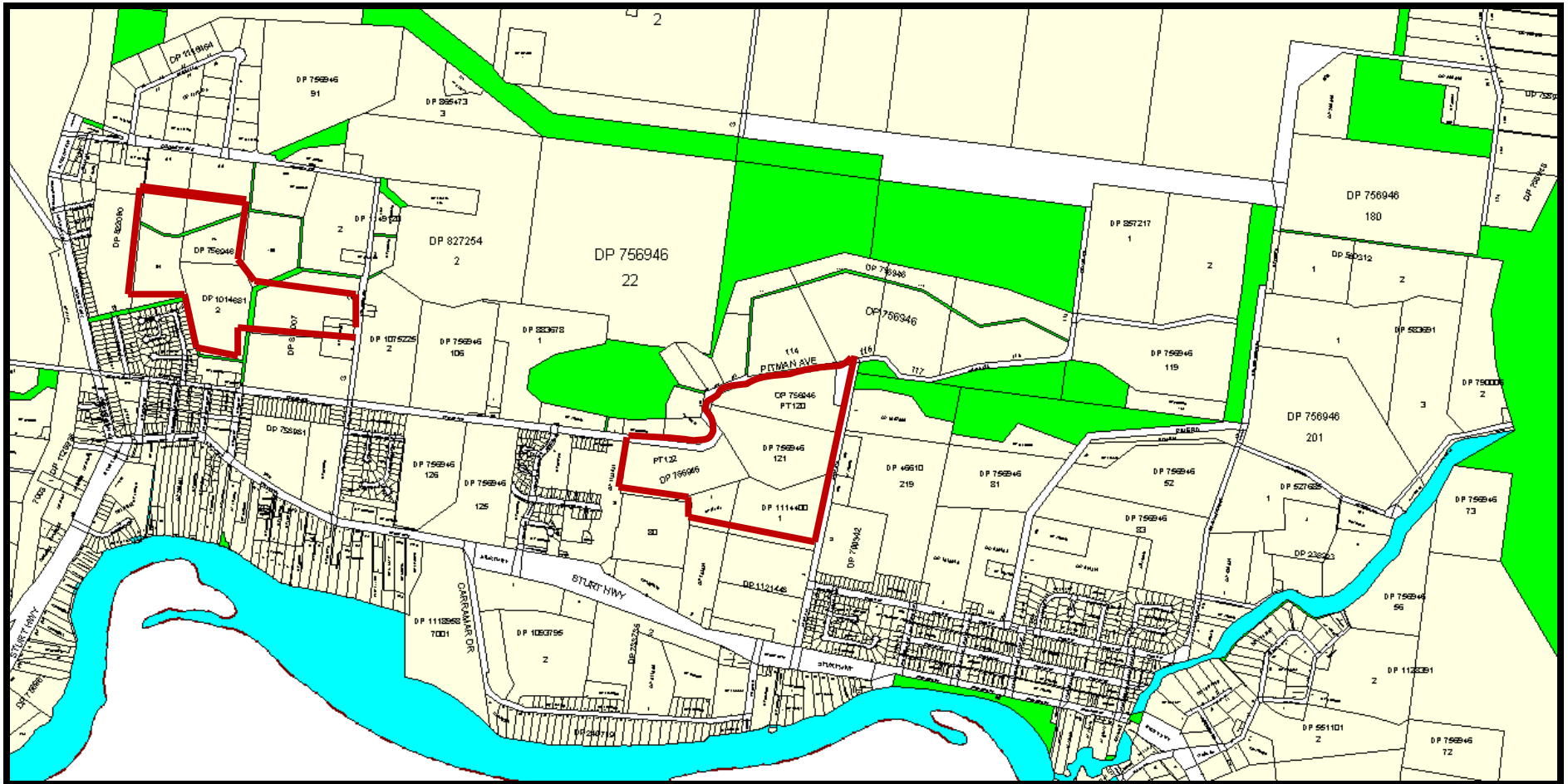


Figure 12: Proposed 1(a) Zone Change in Burunga Gol Gol to Village Zone

The Dark Red Line Area represents the existing 1 (a) General Rural zoned land to be up-zoned to RU 5 Village.

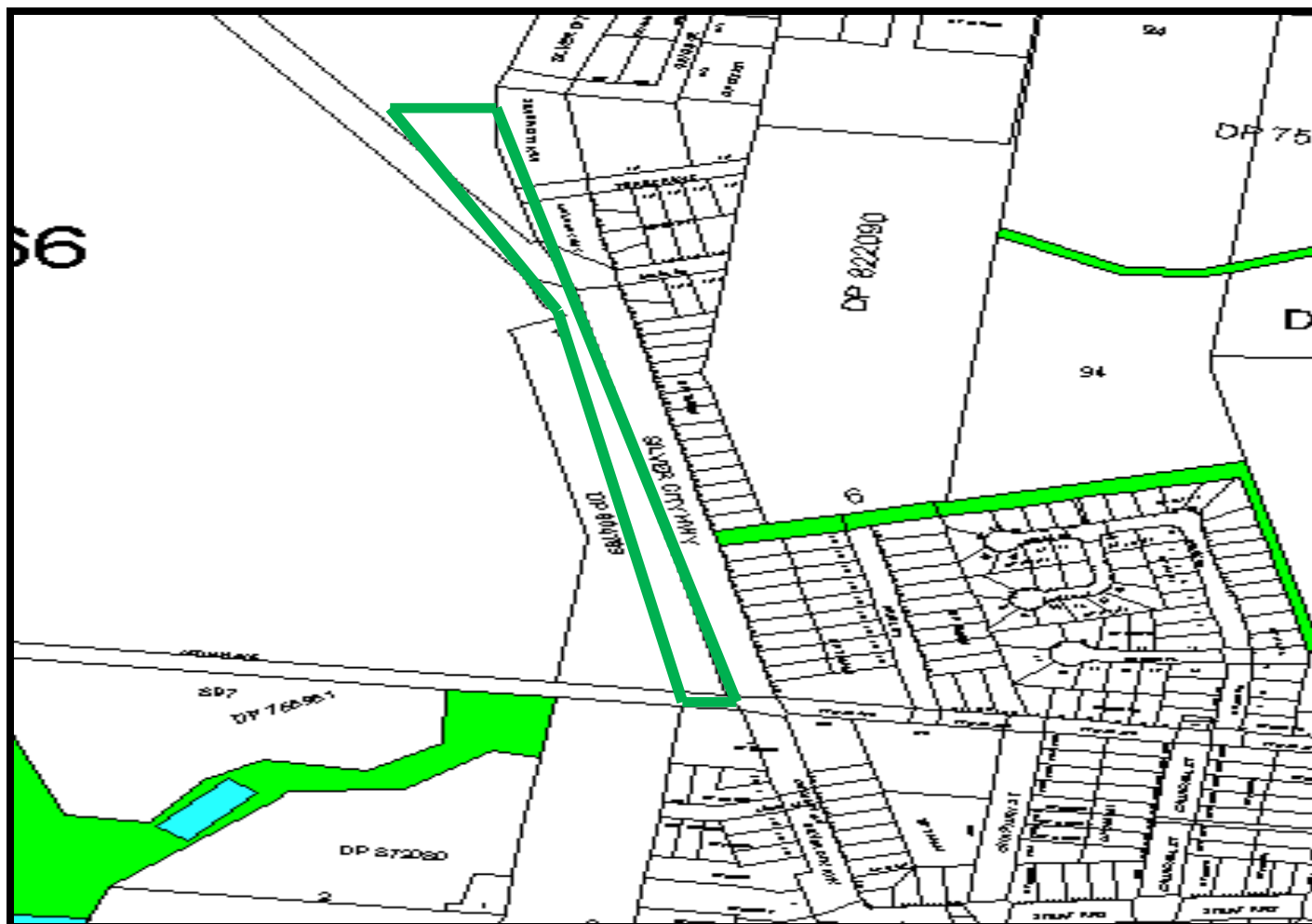


Figure 13: Proposed 2(V) Zone Changes in Buronga Gol Gol to Primary Production Zone (Arumpo Road).

The Dark Green Line Area represents the current 2 (v) Village zoned land to be back zoned to RU1 Primary Production

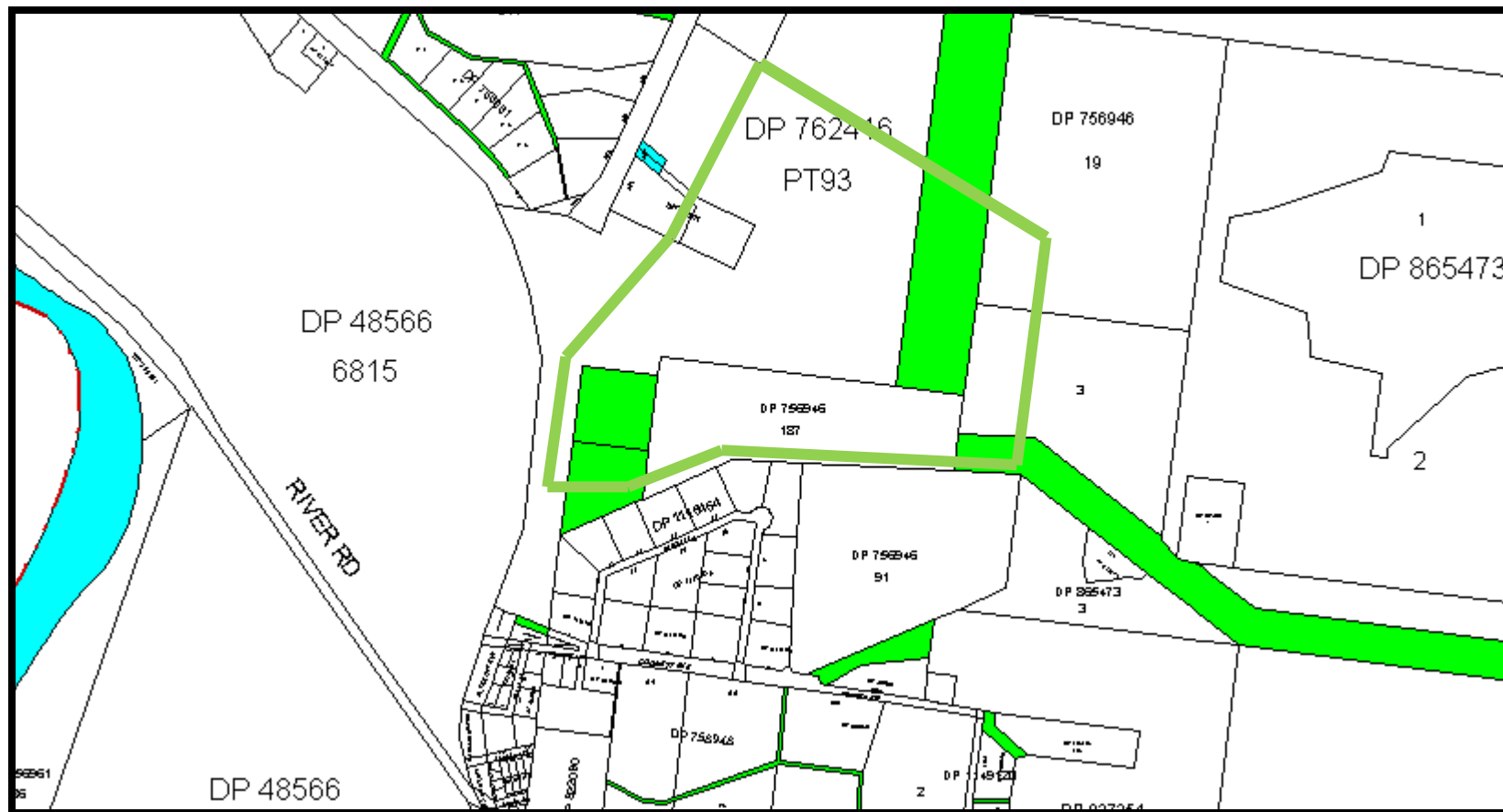


Figure14: Proposed 2(V) Zone Changes in Buronga Gol Gol to Primary Production Zone (Arumpo Road).

The Light Green Line Area represents the existing 2 (v) Village zoned land to be back zoned to RU1 Primary Production.



Figure 15 Land near Chaffey Bridge approach to Buronga to be zoned B6 Enterprise Corridor. The Light Blue Line represents the allotments in the B6 Land.

4.1.2 1(d) Land in Wentworth Shire

In addition to the land identified in Buronga Gol Gol, a large amount of land in the Wentworth Shire has been listed in Section 3.2.1 of the LES as being zoned 1(d) Future Urban under the current LEP 1993. The Standard Instrument LEP does not provide an equivalent zone that the current zoned land can directly convert to and as such the future zoning of this land must be addressed.

There has been no supporting strategic planning work or investigation undertaken into the suitability of these lands for any particular land use or intensification of development potential. In the absence of the required investigations, the rezoning of subject lands for a more intensive purpose would not satisfy the requirements of the Ministers 117 Planning Directions and other State legislation and policy. Therefore, Council has decided to take a precautionary approach and zone these lands to the equivalent zone of the adjoining properties with the rationale based upon minimising land use conflicts between properties.

It is considered that this zoning approach will protect the land from inappropriate uses and land use conflicts while the necessary investigations and strategic justification are carried out to support any future intensification of development on the subject lands. A description of the lands can be found below in Table F and in Figures 16 and 17.

Table F: 1(d) Zoning conversion in the Wentworth Shire

Locality	Area of 1 (d) – existing zone (ha)	Strategic Value Description from the conversion report – RED Description added for this table and report- BLUE	New proposed zone
Coomealla CSIRO field station	93	It would appear that this 1 (d) land is flood free and located close to the Murray River. Map CL1 -008 shows that only a small frontage of land onto Murray River is subject to flooding and that portion is not in the floodway. There are two	RU1 Primary Production

		under developed rural residential 1 (c) Rural Small Holdings lots adjoining this allotment. Both of which are to be converted into R5 Large Lot Residential zone. There is no strategic justification to rezone the land to R5 Large Lot Residential or RU5 Village. The sole option is RU1 Primary Production.	
Dareton	77	The two areas of 1 (d) are located on the eastern edge of the town and separate both rural and industrial areas from the town. The area of 1 (d) adjoining the Silver City Highway would appear to be the most logical direction for residential expansion of Dareton. There is sufficient land within the township of Dareton to accommodate housing growth. Council is in receipt of a concept overall development plan for 160 allotments south of Devenport Street Dareton. There is no strategic justification at this point in time to rezone the land to RU5 Village to match those of Dareton.	RU1 Primary Production
Wentworth	519	There is one area of 1 (d) to the east of Wentworth Street. It adjoins the existing 2 (v) zone and appears to be a logical extension to Wentworth. As identified on Map CL1-003, the	RU1 Primary Production

		majority (40 percent) of existing 1(d) zoned land east of Wentworth are located in the flood planning area (high hazard flood fringe) with 10 percent plus of those located in the floodway. There is no strategic justification e.g. structure plan to rezone the land into RU5 Village from its current 1 (d) zoning. There is no rural residential strategy to justify the rezoning of 1 (d) land into R5 Large Lot Residential.	
Pooncarie	26	The 1 (d) land joins the existing village to the east and acts as a buffer to the existing 1 (a) rural land. There is no strategic justification e.g. structure plan to rezone the land into RU5 Village from its current 1 (d) zoning.	RU1 Primary Production
Boeill Lagoon	46	This parcel of land – known as Lot 2 DP815006 and Lot 1 DP390141. Land is in isolation from existing urban area of Buronga and Dareton and has no availability of services to justify its rezoning to an urban zone. There is no strategic justification to rezone the land to R5 Large Lot Residential or RU5 Village. The sole option is RU1 Primary Production.	RU1 Primary Production
Total	761		

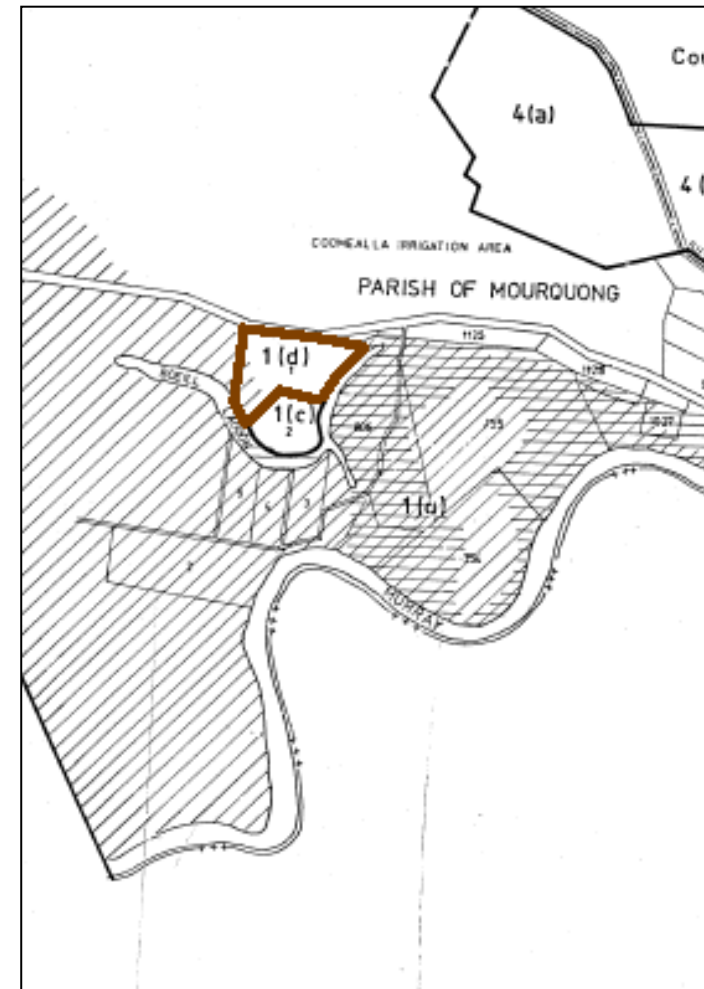
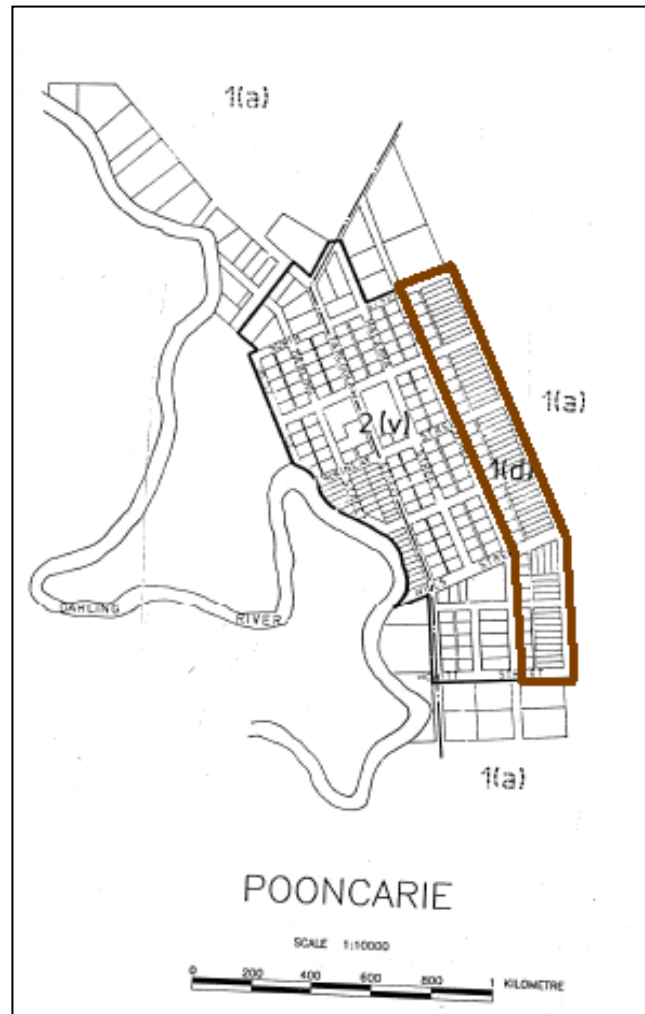


Fig 16 – 1d, 2v and 1a zone changes at Pooncarie and Boeill Lagoon

4.2 Proposed Minimum Lot Sizes for Subdivision

The proposed minimum lot sizes for zones other than Rural Zones in the Wentworth Shire can be found below in Table G:

Table G: Proposed Minimum Lot sizes for Zones in the Draft Wentworth LEP 2010

R5 - Large Lot Residential	5000m2
B6 – Enterprise Corridor	2000m2
IN1 – General Industrial	1000m2
IN2 – Light Industrial	2000m2
SP1 – Special Activities	N/A
SP2 - Infrastructure	N/A
RE1 Public Recreation	N/A
RE2 - Private Recreation	N/A
E1 -National Parks and Nature Reserves	10,000ha
E2 - Environmental Conservation	10,000ha
E3 - Environmental Management	10,000ha
W1 -Natural Waterways	N/A
W2 - Recreational Waterways	N/A

5 CONCLUSION

It is considered the combination of the 2008 LES and this Addendum fully address all issues associated with the inclusion of the standardised LEP and the findings of the BGGSP. The conclusions and recommendations of the 2008 LES remain relevant and Council should proceed in seeking a Section 65 Certificate from the Department of Planning.

Rural Land Principles

a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,

The agricultural industry is considered one of the most important industries to the Wentworth Shire with significant areas of land being used for irrigated horticulture with balance for dry land farming. Increasingly land has been developed for horticultural purposes with diversified plantings beyond vines and citrus.

Council acknowledges that there are social and economic implications for not protecting the availability of agricultural land and industries in the shire. In order to achieve sustainable long term use and development of land for agriculture, one important measure is to better align current and intended land uses with the zoning of rural lands. IN addition the Land Use Table has been assembled to reflect Rural Planning Principles found under the State Environmental Planning Policy (Rural Lands) 2008 with emphasis on this first principle of the SEPP.

By rezoning sufficient supply of residential land under the Draft LEP to meet the growth of Buronga and Gol Gol, and to acknowledge potential overflow development pressure from adjoining regional city of Mildura Victoria, Council is effectively containing urban sprawl to an established perimeter of both townships of Buronga and Gol Gol. Containment of residential development encroachment on rural lands is fundamental to negate undue pressure on rural land holders to sell land for non primary production purposes due to drought conditions, market failure and unseasonal pestilences. This in turn may facilitate a stable environment for farm growth, diversification and renewal and further ensuring sustainable economic activities across rural lands in Wentworth Shire.

There are no proposed conversion of rural lands to urban uses in Dareton, Pooncarie and Wentworth.

There are 778 ha of existing 1 (d) zoned land proposed for rezoning to RU1 Primary Production under the Draft LEP. Considering that Council has not prepared a residential land use strategy for the areas of shire outside of Buronga Gail Gol, and that there are no conversion zoning for 1 (d) Future Urban, the logical step forward is to downzone land to RU1 Primary Production. In east Dareton the down zoning of 1 (d) zone land provides the necessary buffer between the township proper and IN2 Light Industrial land. Removal of the

uncertainty around 1 (d) zoned land provides opportunities for adjoining rural land owners to make necessary capital improvements and diversification of planting portfolios.

The additional 778 ha of RU 1 Primary Production zoned land under the Draft LEP would compensate for the 84 ha of existing 1 (a) General Rural land lost as part of the Buronga and Gol Gol urban growth. This would in turn ensure sustainable level of agricultural economic activities across Wentworth Shire.

(b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,

Generally the agricultural industry in Murray Darling basin faces challenges on water availability, increased water trading, poor health of the Murray Darling Basin, oversupply of wine grapes and declining soil quality due to prolonged dust storms occurrence across the region.

In specific to Wentworth Shire the principal industry is irrigated horticulture with reliance on water availability across the Murray Darling Basin. Whilst there are the traditional grazing and dryland farming industries, as per the Sunrise 21 2006 report there is significant shift onto irrigated horticulture and associated industries albeit the reduced availability of water. Water trading is also identified as a key factor in the future of irrigated horticulture (Draft Murray Regional Strategy).

Chapter 5 of the Draft Murray Regional Strategy highlights on pages 25 to 28 the importance of agriculture as a whole to the shire and Murray region of NSW, and the challenges face by water trading, Commonwealth water buy back scheme and encouragement for growers to exit the industry, Continued water trading in some of smaller irrigation areas such as Curlwaa may create an unviable situation for remaining growers as they continued to fund the essential infrastructure with limited numbers.

In the context of wider Sunraysia region Mildura Rural City Council has recently received adoption of planning scheme amendment C65 to an earlier amendment – C58. The amendment to the planning scheme was led by a comprehensive report into irrigated horticulture across Mildura districts prepared by the Ministerial Mildura Planning Task Force.

The report outlined critical issues facing the irrigated horticulture industries with water availability, water trading, and industry wide restructure including retiring growers and market forces. Much of the report can be read comparatively with the irrigated industries here in Wentworth as both municipalities share the same exposures.

Hence Council has chosen not to rezone any rural lands to a non rural zone under the Draft LEP other than those identified in the strategic framework document for Buronga and Gol Gol. This serves to ease pressure on those growers remaining on the land and to curb speculation on the land values leading to conversion to urban use until such time Council prepares a rural land use strategy.

Council has also decided not to change the minimum lot sizes of 10ha for horticultural development and 10000ha for dryland farming as part of the draft Wentworth Local Environmental Plan 2010 pending the outcome of state and federal level strategic policies. Council acknowledges that the minimum lot sizes will need to be reviewed to ensure a sustainable agricultural industry and not to create rural residential developments by furtiveness. Council further acknowledges that the minimum lot sizes may no longer be suitable for diversification of agricultural production across the shire.

(c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,

The rural sector generates bulk of employment activity for residents in Wentworth Shire. The increased availability of industrial land in the northern section of Buronga provides the opportunity for vertical diversification of rural land uses, for example value adding to existing produces (winery/ juice factory and like) and better bulk commodity management facilities.

Part 4.1 and Part 4.2 of Draft LEP outlined controls on the development of rural dwellings and subdivision of rural lands and limiting rural residential housing development by stealth. Council is also aware of the proposal to introduce Rural Housing Code and future amendments to the Subdivisions Code under the Codes SEPP. Temporary measures have been introduced under the Draft LEP Part 4 to ensure that there is no unintended competition between primary production and residential development especially in urban interface areas whereby the economic value of continued farming is diminished.

The significance of rural land uses including the social and economic benefits has been recognised through the ongoing Federal Government's project to deliver on a common strategy across the Murray Darling irrigation area. The current sub project focuses on Strengthening Basin Communities. The intent of this sub project is to look at the rural land uses across the basin and socio economic impacts from lesser water reliability and availability. Council is a key driver in the sub project with three other Councils in the same region, in partnership with the Murray Darling Basin Authority and the Commonwealth Department of Agriculture, Fisheries and Forestry. Outcomes of the project will inform the future strategic plan for irrigated horticulture settlements across Wentworth Shire.

(d) in planning for rural lands, to balance the social, economic and environmental interests of the community,

Land not considered suitable for retention as urban residential development has been down zoned to RU1 Primary Production including land east of Wentworth currently zoned 1 (d) Future Urban which is also prone to inundation as it sits on a floodplain. There are also pockets of land zoned 1 (d) across the shire whereby there is no strategic justification to up zone to a different zoning such as RU5 Village. The intended use and development of 1 (d) zoned land have evolved over a period of 17 years and there is no strategic justification to retain 778 ha of land for urban or urban release purposes. Unjustified rezoning and subdivisions would have varying social, economic and environmental repercussions for the community... Through rezoning of land to RU1 Primary Production, Council seek to provide certainty on rural land economic and environmental aspects.

The 173ha of 1(d) Future Urban zoned land subject to conversion to RU5 Village are located within the Buronga and Gol development boundary (study area of the Buronga and Gol Gol Structure Plan).

Several parcels of freehold land zoned General Rural (1a) under the Wentworth LEP 1993 and Crown Land (such as Mallee Cliffs National Park) have been rezoned into one of three Environment Protection Zones. Those lands have been identified as having high environmental values and have been included in the mapping of environmentally sensitive land. Land north of Buronga have also been converted to Environmental Protection Zone to ensure proper management of natural drainage wetlands identified as part of the intensification of residential development in Buronga and Gol Gol.

(e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,

As previously mentioned, the bulk of residential and industrial development occurs within the development boundary established by the Buronga and Gol Gol Structure Plan. The boundary takes into account environmentally sensitive land north of Buronga and Gol Gol and also to provide protection of native vegetation and riverine environment for existing township area through the Buronga and Gol Gol Development Control Plan. The Buronga and Gol Gol Development Control Plan has been informed by the Environmental (Environment Issues) Plan prepared by Andrews Neil Pty Ltd. The Environment Issues Plan lists a host of recommendations including the preparation of policy on urban water salinity for Buronga and Gol Gol (page 26 of the Plan). Council adopted the Environment Plan on 16 June 2010.

The western end of Buronga (defined as west of Silver City Highway with Pitman Avenue as main thoroughfare) which is in the study area has been retained RU1 Primary Production to reflect existing horticultural land uses which is the most diverse in the shire, management of floodplain and ecosystems associated with it and the large tracts of remnant native vegetation in the area.

Council is aware of the declining water resources in the Murray Darling Basin and seek to avoid further impacts on water quality of the Murray River by not up zoning land along the Murray to an urban zone. Council notes that the Basin is 28 percent full and remains in drought conditions (as of 12 May 2010 from the weblog www.mdba.gov.au).

(f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,

Council has not finalised its Rural Residential Strategy which commenced in 2006.

Currently under the LEP 1993 rural residential living is provided through land zoned 1 (c) Rural Small Holding. Through the Draft LEP 138 ha of existing 1 (c) Rural Small Holding land is to be rezoned Large Lot Residential due to the fact that all land has been residential in character and use. There is no rural land uses associated with those existing 1 (c) land. Those lands are located at the eastern fringe of Gol Gol township and eastern fringe of Dareton township with the balance located amongst land zoned for Primary Production with satisfactory road access.

There will be no increases on land zoned Large Lot Residential though the Draft LEP.

Council has intended to rezone 130 ha of 1 (c) land located west of the Curlwaa Irrigation Settlement to RU4 Rural Small Holdings. This area is bounded by Manly Road to the south-eastern boundary and borders on existing 1 (d) zoned land to the northwest with Wakefield Lane as the mid section road. This area of existing 1 (c) zoned land has a land use pattern different to the other 1 (c) lands in the Wentworth Shire; the predominant focus of land uses is rural development with ancillary dwelling. Importantly 80 percent of lands in the area are Crown western land leases unlike the other freehold 1 (c) zoned land in Gol Gol and Boeill Creek. It is unlikely in the foreseeable future that there will be subdivision of land for rural lifestyle purposes.

One significant allotment in this area has been developed for irrigated horticulture and others have been developed for extensive agricultural purposes. The rezoning of this area to R5 Large Lot Residential will impact on existing and intended semi rural land uses and creates an unnecessary expectation for servicing demands. The area has limited infrastructure other than a sealed rural roadway.

It is considered that the rezoning of the area to RU4 Rural Small Holdings instead of R5 Large Lot Residential satisfies the three key objectives: to enable sustainable primary industry and other compatible land uses, to maintain rural and scenic character of land and to ensure that development does not unreasonably increase the demand for public services or public facilities.

(g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,

Clause 4.2A and Clause 4.2B of the Draft LEP provide for consideration of impacts on services and infrastructure at the time of subdivision of land for agricultural purposes, dwelling purposes and other purposes not related to agriculture and dwelling. The provisions of the Draft LEP ensure that consideration is given at the infancy stage of potential residential development and to minimise any future servicing demands on Council.

Clause 7.3 of the Draft LEP in conjunction with Council Policy No, 26 on floodplain management seeks to ensure that consideration is given to access and other key infrastructures for the development of dwelling on land that is in the flood planning area. This Clause applies equally to all zoned land.

(h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

The Draft LEP is consistent with the Draft Murray Regional Strategy specific to Chapter 4 Settlement and Housing and Chapter 5 Economic Development. In relation to the sub chapter on rural lifestyle housing, Council has not rezoned any rural land for R5 Large Lot Residential other than to convert those existing 1 (c) zoned land close by to existing townships / centres and within access of relevant infrastructure and services. 138ha of proposed R5 Large Lot Residential zoned land in Gol Gol and Dareton are fully serviced including the availability of reticulated water. Balance of 1 (c) zoned Land in Curlwaa west however will be rezoned RU4 Rural Small Holdings to reflect the rural land use focus and land tenures.

The rezoning of 1 (d) and 1 (a) zoned land for residential development (RU5 zone) in Buronga and Gol Gol is considered to be in accordance with the strategic position for Lower Murray subregion outlined on page 19 of the Draft Murray Regional Strategy.

In relation to rural lands (sub chapter – agriculture on page 25 of the Draft Murray Regional Strategy), Council has retained the bulk of existing 1 (a) zoned land other than those identified in the Buronga and Gol Gol Structure Plan and down zoned 778ha of existing 1 (d) zoned land to RU1 Primary Production. This compensates for the loss of 84 ha of 1 (a) zoned land to urban residential and industrial purposes in Buronga and Gol Gol. This measure also

facilitates significant additional supply of agricultural land in Wentworth Shire with opportunities to diversify existing rural industries.

Specific to the sub chapter on water trading of the Draft Murray Regional Strategy, Council has withheld any rezoning of land in its irrigated horticulture settlement area until the finalisation of the Draft Strategy in late 2010 and the Commonwealth Murray Darling Basin Plan in 2011. The Basin Plan is a key document as it controls access of state water resources under the Water Act 2007 (Commonwealth). Minimum lot sizes for rural land for dry land farming and horticultural farming will be reviewed consistent with the recommendations of both (finalised) Basin Plan and Regional Strategy.

The Draft LEP is considered on this basis to be consistent with the SEPP.

As previously mentioned, further Strategic work will be undertaken by Council regarding the issue of land release for rural lifestyle use in the Wentworth Shire. The review of agricultural land and the appropriateness of the existing minimum lot size will form an essential part of the Draft Rural Residential Strategy (or future strategic planning work) and will satisfy the requirements of Industry and Investment NSW (former DPI).