



**Wentworth Local Environmental Plan 2011  
Amendment No. 1  
Planning Proposal**

**Amended Minimum Lot Size Maps  
Ellerslie, Darling View, Curlwaa & Gol Gol**

**Add an exemption clause relating to consideration of development applications  
to construct a dwelling on a “former rural lot”**

**Change the Zoning of land on which the Gol Gol Water Treatment Plant is located**

**Amended Heritage Items Property Description  
Heritage Items I9, I10 and I87**

**Wentworth Shire Council  
Date: March 2012**

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**1/ Site Identification - Add 10Ha Mapped Area – Ellerslie Irrigation Area  
8200\_COM\_LSZ\_002\_320\_20111125**

**2/ Ellerslie Irrigation Area Road Maps Showing Historic Settlement Pattern**

**3/ Photo of entry sign to Ellerslie Palinyewah Irrigation Area Soldier Settlement**

**4/ Site Identification Map – Add 10Ha Mapped Areas - Darling View  
8200\_COM\_LSZ\_002\_020\_20111125**

**5/ Pomona Irrigation Area & Darling View Settlement – Historic Maps**

**6/ Site Identification Map - Add 10Ha Mapped Area – Murray Road Curlwaa  
8200\_COM\_LSZ\_002D\_020\_20111130**

**7/ Curlwaa and Coomealla Irrigation Area – Historic Maps**

**8/ Site Identification Map - Add 5000m<sup>2</sup> Mapped Area – Fayes Lane, Sturt Hwy,  
Native Ridge Lane Gol Gol 8200\_COM\_LSZ\_004G\_020\_20111130**

**9/ Site Identification Map – Amend Zoning of land Gol Gol Water Treatment Plant  
Lot 1 DP 829902 Sturt Hwy, Gol Gol 8200\_COM\_LSZ\_004G\_020\_20111130**

## **1. Part 1 – Objectives or Intended Outcomes**

The purpose of this planning proposal is to make the following amendments to the Wentworth Local Environmental Plan (WLEP) 2011:

- include in the 10ha minimum lot size maps land that is within historic horticultural growing districts / settlements of Ellerslie, Darling View and Curlwaa land that historically has been planted to horticulture;
- provide an additional sub-clause in Clause 4.2D to provide for construction of dwellings on former rural lots without the need for the land to be used or intended to be used for the purpose of intensive plant agriculture or extensive agriculture and without the need for the dwelling house being required to support the carrying out of any such purpose;
- include in the 5000m<sup>2</sup> minimum lot size mapped area land east of the township of Gol Gol that is zoned R5 – Large Lot Residential and which is currently included in 10,000 Ha minimum lot size mapped area under the WLEP 2011;
- rezone the land used for the Gol Gol water treatment plant on Lot 1 DP 829902 from R5 – Large Lot residential to SP2 – Infrastructure;
- correct the description of the land in respect to Cal Lal Post Office identified as Local heritage item I9 in the WLEP from Lot 17, DP 756151 to Lot 25, DP 756151;
- correct the description of the land in respect to Cal Lal Police Station, Courthouse identified as Local heritage item I10 in the WLEP from Lot 17, DP 756151 to Lot 24, DP 756151 5495 Rufus River Rd, Rufus; and
- correct the description of the land in respect to a dwelling identified as Local heritage item I87 in the WLEP from Lot 3 DP 5601346, 34 Sandwych St, Wentworth to Lot 1 DP 304749, 36 Sandwych St, Wentworth;

## **2. Part 2 – Explanation of Provisions**

Amend WLEP 2011 as follows:

- Amend Lot Size Maps Sheet LSZ\_002 and LSZ\_004 to include the historic irrigation areas / settlements of Ellerslie & Darling View within the 10Ha minimum lot size mapped areas for the purpose of erecting a dwelling in certain rural and environmental protection zones.

These are historic irrigated horticultural settlements that had existed for many years. Ellerslie was originally released as soldier settlement blocks. These areas are similar to the other irrigation settlements within the Wentworth Shire of Pomona, Curlwaa, Coomealla, Buronga, Gol Gol and Trentham Cliffs that are mapped as 10Ha minimum lot size mapped areas in the WLEP 2011. In contrast to the other irrigation settlements within the Wentworth Shire, Ellerslie and Darling View are currently mapped as 10,000Ha minimum lot size mapped areas.

These areas were identified as being mistakenly left out of the 10Ha minimum lot size mapped areas by way of submissions to the exhibition of the Draft Wentworth LEP 2011. This proposal seeks to include these areas which historically have been used for horticulture. The settlement of Darling View has had the majority of permanent horticulture plantings removed but all owners of land in this area signed a submission to the exhibition of the Draft WLEP 2011 to include Darling View within the 10Ha minimum lot size mapped area.

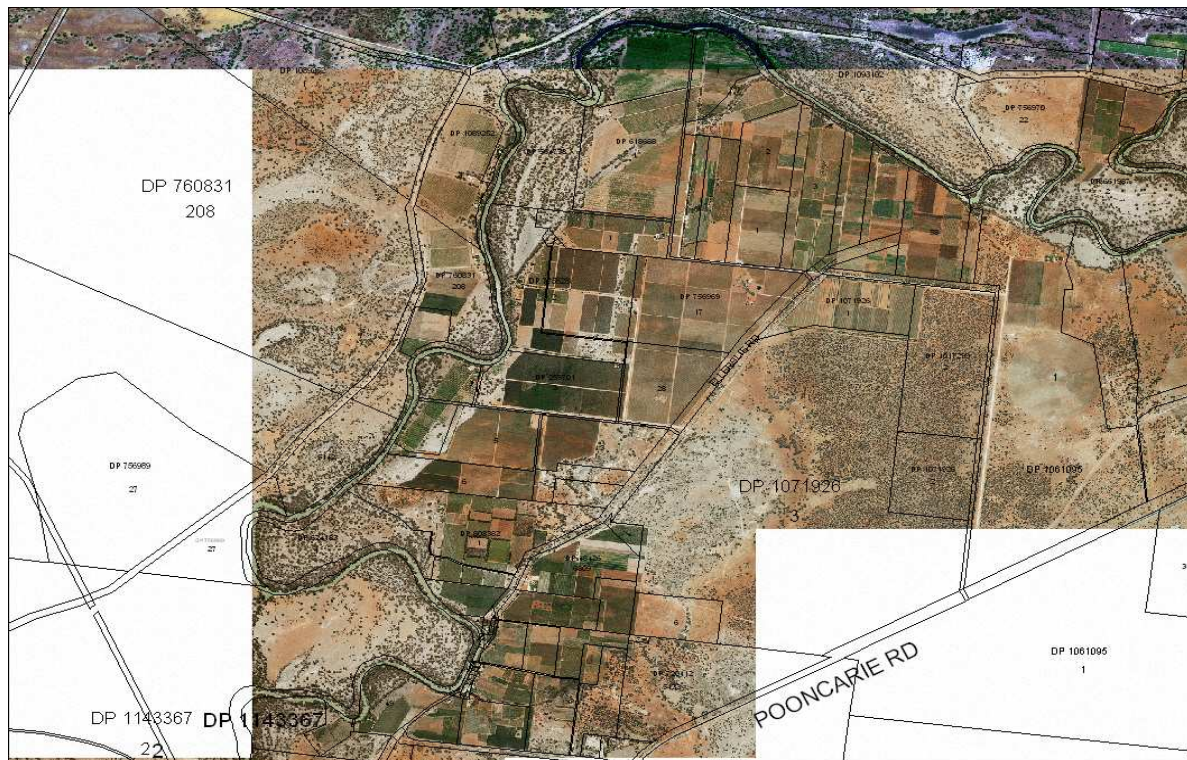
The irrigated settlement of Darling View is identified on Site Identification Map 8200\_COM\_LSZ\_002\_020\_20111125 (see attached).

The irrigated horticulture area of Ellerslie is identified on Site Identification Map

8200\_COM\_LSZ\_002\_320\_20111125 (see attached).



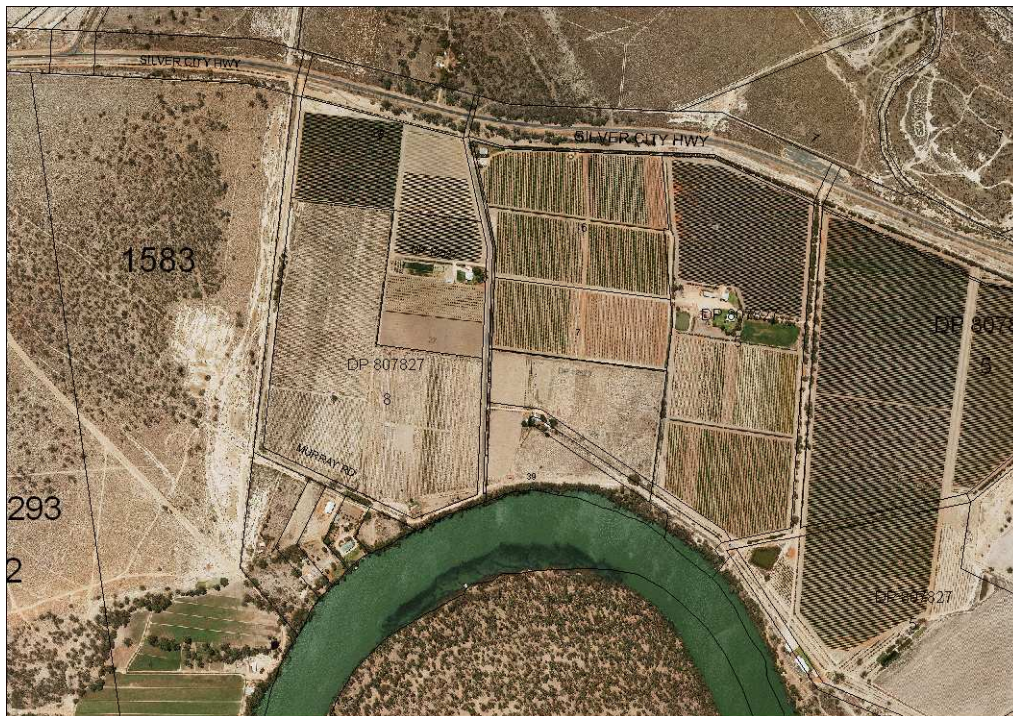
*Aerial photo of land at Pomona & Darling View. There are significant areas of land that are not currently planted. Approximately 40% of Darling View is planted for irrigated grazing fodder crops. (Imagery copyright LPI Cadastre)*



*Aerial photo of land at Ellerslie. The land at Ellerslie largely remains planted to permanent horticulture plantings. (Imagery copyright LPI Cadastre)*

- Amend Lot Size Maps Sheet LSZ\_002D and LSZ\_002E to include Lot 8 DP 807827 Murray Rd, Curlwaa within the 10 Ha minimum lot size mapped area for the purpose of erecting a dwelling in certain rural and environmental protection zones. This allotment is the only allotment that is within the Curlwaa irrigation area and within the Curlwaa levee that is mapped in the 10,000Ha minimum lot size mapped area for the purpose of erecting a dwelling in certain rural and environmental protection zones

Lot 8 DP 807827 Murray Rd, Curlwaa is identified on Site Identification Map 8200\_COM\_LSZ\_004E\_020\_20111130 (see attached).



*Aerial photo of land at Lot 8 DP 807827 Murray Rd Curlwaa bounded by the Curlwaa levee. This area is currently cleared and prepared for replanting. (Imagery copyright LPI Cadastre)*

- Amend Clause 4.2D of the Wentworth LEP 2011 to provide an exclusion for land defined as “former rural lot” from meeting the requirements of being used or intended to be used for intensive plant agriculture or extensive agricultural by addition of the following sub-clause in the Wentworth LEP 2011:

*4.2D (4) Notwithstanding subclauses (1), (2), (3)(a), (b) & (c), the Council may consent to the erection of a dwelling house on land within RU1 – Primary Production zone where the Council is satisfied the land meets the definition of a former rural lot as defined in Clause 4.2B(6)”.*

- Amend Lot Size Map Sheet LSZ\_004G to include the land adjoining Fayer lane, Native Ridge Rd and the Sturt Hwy, Gol Gol that are zoned within the Wentworth LEP 2011 as R5 – Large Lot Residential zone, within the 5000m<sup>2</sup> minimum lot size mapped areas for the purpose of erecting a dwelling in certain rural and environmental protection zones. These allotments are currently mapped as 10,000Ha minimum lot size mapped areas.

The proposed land is identified on Site Identification Map

8200\_COM\_LSZ\_004G\_020\_20110805 (see attached).

- Change the zoning of land at Lot 1 DP 829902 Sturt Hwy, Gol Gol on which the Gol Gol Water Treatment Plant is located from R5 – Large Lot Residential to SP2 Infrastructure. This is necessary as “*water treatment facilities*” are identified as a prohibited within the R5 – Large Lot Residential Zone.

The land on which the Gol Gol water treatment plant is located is identified on Site Identification Map 8200\_COM\_LSZ\_004G\_020\_20110805 (see attached).



*Aerial photo of proposed land to be rezoned for water treatment plant and have minimum lot size changed showing relationship to adjoining R5 Large Lot Residential land and the township of Gol Gol (Imagery copyright LPI Cadastre)*

- Correct the description of the land in respect to Cal Lal Post Office identified as Local heritage item I9 in the WLEP 2011 from Lot 17, DP 756151 to Lot 25, DP 756171. A site inspection, including GPS cross referencing, has identified the Cal Lal Post Office is actually located on Lot 25 DP 756151.
- Correct the description of the land in respect to Cal Lal Police Station, Courthouse identified as Local heritage item I10 in the WLEP from Lot 17, DP 756151 to Lot 24, DP 756171. Council has had representation from a visitor to the area querying the location of the Cal Lal Police Station and Courthouse. A site inspection, including GPS cross referencing, has identified the Cal Lal Police Station and Courthouse is actually located on Lot 24 DP 756151, 5495 Rufus River Rd, Rufus.
- Correct the description of the land in respect to a dwelling identified as Local heritage item I87 in the WLEP from Lot 3 DP 5601346, 34 Sandwych St, Wentworth to Lot 1 DP 304749, 36 Sandwych St, Wentworth.

A Council staff member who lives in a nearby dwelling has identified this error. A site inspection and cross referencing to Council's GIS mapping system has identified the location of the dwelling identified as Item I87 in the Local heritage Items is actually located on Lot 1 DP 304749, 34 Sandwych St, Wentworth. Lot 3 DP 5601346, 36

Sandwych St, Wentworth consists of three single storey brick residential dwelling units built approximately in the mid 1980's.

### **3. Part 3 – Justification**

#### **3.1 Section A – Need for the Planning Proposal**

##### **1. Is the planning proposal a result of any strategic study or report?**

###### **a. Ellerslie, Darling View and Lot 8 DP 807827 Murray Rd, Curlwaa - 10Ha Minimum Lot Size Mapped Areas**

No. However, public submissions were made to Council identifying the omission of these historical irrigation settlements from the 10Ha minimum lot size mapped areas in response to the public exhibition of the draft Wentworth LEP 2011.

Landholders argued that in the preparation of the conversion LEP there should be no loss of existing land use rights and that the exclusion of these areas from the minimum lot size maps meant the landholders did lose existing development rights. This view was supported by Council and Council sought to correct these omissions by inclusion of clauses relating to the minimum lot size for a dwelling to be allowed on land developed for horticulture in its Sec 68 submission as part of the preparation of the Wentworth LEP 2011.

Council has subsequently held significant discussions with the NSW Minister for Planning & Infrastructure, the Director General of NSW Department of Planning & Infrastructure and the Executive Director Planning Operations of NSW Department of Planning & Infrastructure from which it was agreed that Council should prepare a planning proposal in respect to these minimum lot size mapped areas.

###### **b. Additional clause relating to dwellings on “former rural lot”**

No. This additional clause is required to be included to provide in the Wentworth LEP 2011 an equivalent clause to Clause 16(3) of the Wentworth LEP 1993. As a conversion LEP it is noted that the provisions should be no more onerous than the former LEP.

###### **c. Amend the 5000m<sup>2</sup> minimum lot size mapped area at Gol Gol**

Yes. The section of land identified to be added to the 5000m<sup>2</sup> minimum lot area was mapped as R5 Large Lot Residential land in the Wentworth LEP 2011. This was a change in the zoning from the Wentworth LEP 1993 that was not identified as a mapping error as part of the gazettal of the Wentworth LEP 2011.

The majority of this land was identified in the Wentworth Shire Council draft Rural Residential Strategy completed in October 2006 as land that Council should rezone to Large Lot Residential.

###### **d. Change the zoning of land on which the Gol Gol treatment plant is located.**

No. This land has been mapped in the R5 – Large Lot Residential zone when the Wentworth LEP 2011 was gazetted. This mapping was an oversight. The change in the mapping to SP2 – Infrastructure zone is to reflect the existing use of the land as a water treatment facility. A water treatment facility is identified in the Wentworth LEP 2011 as a prohibited use in the R5 – Large Lot Residential zone.

###### **e. Correct the description of land for Heritage Items I9, I10 & I87.**

Yes. These three items were identified as Local Heritage Items in the preparation of the Wentworth LEP 2011 however the property descriptions were not correct. This proposal

is to ensure the Local heritage Items are located on the correct property.

**2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Council at its February 2012 meeting resolved to have items 1a and 1b above and some other items submitted to the Minister for an expedited amendment of the Wentworth LEP 2011 under Section 73A of the Environmental Planning & Assessment Act. The NSW Department of Planning & Infrastructure have consistently advised Council the provisions relating to rural land should be considered as part of a proposed rural land use strategy that Council has identified needs to be completed.

However, following discussion Council has held with the NSW Minister for Planning and Infrastructure, the Director General of NSW Department of Planning & Infrastructure and the Executive Director Planning Operations of NSW Department of Planning & Infrastructure it was agreed that Council should prepare a planning proposal in respect to the minimum lot size mapped areas and exemptions for former rural lots which Council believed should have transferred from the Wentworth LEP 1993 to the Wentworth LEP 2011.

Subsequent to the February 2012 meeting of Council the anomaly of the minimum lot size mapped area for the R5 land at Gol Gol, the location of the water treatment plant in the R5 Large Lot Residential zone and the errors in the description of the Local Heritage items have been identified. Discussion with staff from NSW Department of Planning & Infrastructure is that it would be best for all of these items to be included in a single planning proposal and the changes proposed would not be entertained via a Section 73A amendment, without appropriate public consultation.

The planning proposal offers the most transparent, effective and efficient means of changing the proposed controls for development in the Wentworth LEP 2011. The planning proposal will assist in achieving the objects contained within Section 5 of the Environmental Planning and Assessment Act 1979 pertaining to the economic and orderly development of land.

**3. Is there a net community benefit?**

The planning proposal for 10Ha minimum lot size mapped areas will restore development rights that existed under the Wentworth LEP 1993 and which should have been converted to the Wentworth LEP 2011. The amendments to these maps and the "former rural lot" concession is only expected to result in a minimal amount of development with little affect in either a positive or negative way for the wider community. Some individual property owners will see a net benefit.

The planning proposal will result in a positive community benefit with minimum mapped areas consistent with zoning of the large lot residential zone enabling development as an extension of existing development in this area of Gol Gol. The existing development in this area has provided housing / lifestyle choice with high quality amenities and no negative environmental outcomes.

There will be some loss of land that is currently being used for horticulture in the Gol Gol area. This is a natural progression of development in this area and will avoid potential conflict of land uses between horticultural and residential land as development extends to what is a logical boundary with the adjoining pastoral land.

Short term benefits associated with the proposals include employment within the building construction sector.

The amendment of the zoning of the water treatment facility will provide consistency with the Wentworth LEP 2011. This is a benefit to Council who also has the role of implementing the LEP provisions.

### **3.2 Section B - Relationship to Strategic Framework**

#### **1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional strategy (including exhibited draft strategies)?**

The Draft Murray Regional Strategy was exhibited from 30 October 2009 to 11 December 2009 and provides a guideline for development to accommodate the region's growth over the next 25 years.

The planning proposal with respect to the minimum lot size mapped area at Gol Gol is consistent with the draft strategy as it will provide a co-ordinated approach to managing land use to facilitate growth and the environment, particularly adjacent to Gol Gol which is located near the major centre of Mildura and has good access to services and offering a high quality of life.

The proposed 10Ha minimum mapped sizes for Darling View, Ellerslie and the lot in Curlwaa and additional clause for former rural lots is a conversion of existing development rights from the Wentworth LEP 1993 to the Wentworth LEP 2011 and have not been considered in the light of the regional strategy.

The planning proposal for the correction of Local Heritage Items is not impacted on by the regional strategy.

#### **2. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The State Environmental Planning Policies (SEPP's) below are identified as being applicable to the Wentworth LEP 2011. The relationship of the SEPP's with the planning proposal are outlined in the table below:

- SEPP 21 – Caravan Parks – no requirements affected.
- SEPP 22 – Shops & Commercial Premises - no requirements affected.
- SEPP 30 – Intensive Agriculture - no requirements affected.
- SEPP 33 – Hazardous & Offensive Development – no requirements affected.
- SEPP 36 – Manufactured Home estates – no requirements affected.
- SEPP 52 – Farm Dams and other works in land & water management plan areas - no requirements affected.
- SEPP 55 – Remediation of Land – prior to any development / subdivision in the proposed 5000m<sup>2</sup> minimum lot size area contamination surveys will need to be completed. The current and historic use of the land for horticulture is similar to the adjoining land where no problems have been identified with recent sub-divisions.
- SEPP 64 – Advertising & Signage - no requirements affected.
- SEPP – Affordable Rental Housing 2009 - no requirements affected.
- SEPP – Building Sustainability Index (BASIX) 2004 - no requirements affected.
- SEPP – Exempt & Complying Development Codes 2008 - no requirements affected.
- SEPP – Housing for seniors or People with a Disability 2004 - no requirements affected.

- SEPP – Infrastructure – 2007 – Rezoning of treatment plant will be consistent.
- SEPP – Mining, Petroleum Production & Extraction facilities - no requirements affected.
- SEPP – Temporary Structures - no requirements affected.
- SEPP – Rural Lands 2008 – see comments below.

The sites do not contain State significant agricultural land and is not located within an area of regional farming significance.

In respect to the 5000m<sup>2</sup> minimum lot size mapped areas, the planning proposal achieves an appropriate balance between social, environmental and economic interests of the community by providing opportunities for additional housing choice on a site that is not adversely affected by any significant constraints. Short and long term social and economic benefits are likely to benefit both the village of Gol Gol and the nearby city of Mildura and the wider shire community with increased development.

The 10Ha minimum lot size mapped areas are consistent with other horticultural irrigation districts within the Shire, as identified in the Wentworth LEP 2011. This planning proposal is seen as addressing a matter of inequity with similar land that has resulted from the conversion from the Wentworth LEP 1993 to the Wentworth LEP 2011. It is acknowledged that the minimum lot size areas will be one of the items that will need to be considered as part of the proposed rural land use strategy across the Wentworth Shire.

- Deemed SEPP - River Murray – the land at Darling View and the lower lying land on some allotments at Ellerslie may be subject to flooding. This would need to be addressed at an individual development application stage.

### **3.1 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The relevant Section 117 Directions contained within the Environmental Planning and Assessment Act 1979 are outlined below. Unless identified below the Ministerial Directions have been identified as not applying to the land that is the subject of the planning proposal.

- Direction No. 1.2 – Rural Zones  
It is noted that the section of land east of Gol Gol that is proposed to be mapped with a 5000m<sup>2</sup> minimum lot size is already zoned as Large Lot Residential R5. This was due to a mapping error in the making of the Wentworth LEP 2011 that converted this land from Rural Zone to Large Lot Residential. This land was identified as land suitable for rezoning to Large Lot Residential Zone in the draft Rural Residential Land Strategy dated July 2007. The Draft Murray Regional Strategy was exhibited from 30 October 2009 to 11 December 2009 and provides a guideline for development to accommodate the region's growth over the next 25 years.

The planning proposal with respect to the minimum lot size mapped area at Gol Gol is consistent with the Draft Murray Regional Strategy as it will provide a co-ordinated approach to managing land use to facilitate growth adjacent to the Gol Gol township. Gol Gol is located near the major centre of Mildura and has good access to services. The land is disturbed land having been farmed for horticulture for many years so the use for large lot residential development will have no significant effect on the environment.

- Direction No. 1.5 – Rural Lands  
There is a potential for an increased density of development with the change from 10,000Ha to 10Ha minimum lot size mapped areas of rural lands. This potential

existed under the Wentworth LEP 1993 and has not compromised the rural use of the land in the areas of Darling View, Ellerslie and the allotment identified at Curlwaa.

As identified in the planning proposal there is no strategic justification for the 10Ha minimum lot size mapped areas within any of the rural areas of the Wentworth Shire. Council representatives have had discussion with the Minister and Director General in respect to the inclusion of these areas within the Wentworth LEP 2011 on the basis that the making of the Wentworth LEP 2011 was to be a conversion LEP and as such these areas should have been included within the 10Ha minimum lot size areas when the Wentworth LEP 2011 was made.

- Direction No. 2.1 - Environment Protection Zones

Environment Protection Zones may be applicable to some of the Riverine Environment at Darling View and the lower lying areas of Ellerslie. There are current provisions within the Wentworth LEP 2011 to deal with individual development applications on such land. This planning proposal does not change environmental protection standards that will apply to the land. It is noted the Ministerial Direction states this requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "*Rural Lands*".

- Direction No. 2.3 – Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance and Management of Environmental and Indigenous Heritage. It is noted the land that is to have minimum lot sizes for dwellings changed is predominantly land that has been farmed and no known indigenous heritage items have been identified. Part of this planning proposal is to correctly identify the location of existing local Items of European Heritage that are identified on the wrong properties.

- Direction No. 3.1 – Residential Zones

The planning proposal will provide a variety of building locations within the Wentworth Shire. The 5000m<sup>2</sup> minimum lot size mapped area for the Large Lot Residential zone is consistent with the zone provisions whilst the existing 10,000Ha minimum lot size map is larger than each of the areas identified for inclusion in the proposed 10Ha and 5000m<sup>2</sup> minimum.

The extension of the 5000m<sup>2</sup> areas is adjacent existing 5000m<sup>2</sup> minimum lot size areas providing for extension of existing infrastructure and services to this area in an efficient manner. The proposed 10Ha minimum lot size areas will have minimal service infrastructure. Existing roads serve all land identified by the planning proposal, electricity and telephone services pass all areas and will only require individual extension to single dwellings if approved, wastewater disposal will be by individual on-site treatment and water supplies will come from existing irrigation water supplies and rainwater tanks.

The 5000m<sup>2</sup> minimum lot size areas will change the rural / urban interface from large lot residential blocks adjoining horticulture to large lot residential land adjoining pastoral land. Whilst there is a general acceptance within the community of farming practices it is noted the pastoral land adjoining the large lot residential areas is less likely to result in potential land use conflict than horticultural land.

- Direction No. 3.4 – Integrating Land Use & Transport

The planning proposal is not consistent with this direction. This inconsistency is justified on the basis of the draft rural residential strategy that applied to the land at Gol

Gol and the fact the 10Ha minimum lot size mapped areas relates to existing irrigation settlements.

- Direction No. 4.1 – Acid Sulphate Soils

Whilst some parts of the Wentworth Shire that are within the pool level of the Murray River are affected by acid sulphate soils, there is no record or indication that the land that is the subject of the planning proposal is affected by acid sulphate soils.

- Direction No.4.3 – Flood Prone Land

There is no rezoning of land that is flood prone as part of the planning proposal. Land at Darling View and the lower lying areas of Ellerslie may be affected by flooding. There are current provisions within the Wentworth LEP 2011 to deal with individual development applications on such land. This includes restricting permit development in floodway areas, limiting flood impacts to other properties, restricting any significant increase in the development of the land and limiting/avoiding requirements for government spending on flood mitigation measures, infrastructure or services.

- Direction No 6.1 Approval and Referral Requirements

The planning proposal does not include any matters that will require additional concurrence, consultation or referral of development applications to a Minister or public authority, and does not identify any items that will be designated development as a result of the planning proposal.

- Direction No.6.2 Reserving Land For Public Purposes and Direction No. 6.3 Site specific provisions

The change in the zoning of land at Lot 1 DP 829902 Sturt Hwy, Gol Gol is to provide a zone for existing infrastructure development, namely the Gol Gol Water Treatment Plant in the SP2 Infrastructure Zone. This is necessary as “*water treatment facilities*” are identified as a prohibited within the R5 – Large Lot Residential Zone. Whilst no specific reserve is created the rezoning provides for site specific restrictions consistent with its existing use as a water treatment plant.

As outlined above, with the exceptions of the comments with respect to Direction No. 3.4, the planning proposal satisfies the s.117 Directions prescribed by the Minister and contained within the Environmental Planning and Assessment Act 1979.

### **3.2 Section C – Environmental, Social and Economic Impact**

#### **1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

There are no foreseen impacts based on the fact that the land that may be developed has been used for horticultural farming for approximately 70 years and hence has been disturbed through previous activities.

#### **2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

General constraints associated with development are able to be addressed at the development application stage for subdivisions and subsequent development in the case of the 5000m<sup>2</sup> minimum lot size mapped area and individual applications that may occur in the 10Ha minimum lot size mapped areas when considering Section 79C of the Environmental Planning and Assessment Act, 1979.

Impacts on the built environment such as overshadowing, height, bulk and scale and streetscape presentation are also able to be determined at the DA stage.

### **3.3 Section D – State and Commonwealth Interests**

#### **1. Is there adequate public infrastructure for the planning proposal?**

Existing roads currently provide convenient access to the site. A strategic access will need to be developed in relation to any development off the Sturt Hwy. Public utilities and other essential services such as health, education and emergency services exist within the Wentworth Shire and are generally adequate to serve and meet the needs of the proposal. It is noted Mildura is a regional city immediately adjoin the Wentworth Shire that is able to service the wider Sunraysia region including land within the Wentworth Shire. Services are available consistent with the anticipated needs of the areas.

### **4. Part 4 – Community Consultation**

Community consultation was carried out in conjunction with the preparation of the recently gazetted Wentworth LEP 2011. This resulted in significant comments being submitted about the 10Ha minimum lot size mapped areas for the areas as identified within this planning proposal, as well as other areas of land that are not within historic irrigation areas.

This planning proposal will be exhibited as part of the process of its consideration. A period of 14 days is appropriate for the exhibition of the planning proposal as the matters contained therein are considered to be 'low impact' status, as recognised within A Guide to Preparing Local Environmental Plans prepared by the NSW Department of Planning dated 2009.