

12.2 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSALS TO REZONE LAND FOR THE PURPOSE OF B2 LOCAL CENTRE ZONE, SP3 TOURIST ZONE AND W2 RECREATIONAL WATERWAYS ZONE

File Number: RPT/15/322

Responsible Officer: Ken Ross - Director, Health and Planning
Responsible Directorate: Health and Planning
Reporting Officer: Michele Bos - Strategic Development Officer

Delivery Program Objective: 2. Growth & Development

Delivery Program Strategy: 2.2 Encourage the diversification and expansion of business and industry

Summary

Wentworth Shire Council has recently been approached by two separate landowners wanting to significantly develop their properties. The proposals include an expanded caravan park and highway service centre at Trentham Cliffs and a commercial/retail development in Gol Gol.

Pursuant to the current zones of both sites, the proposals are prohibited. The proponents have requested that Council support and facilitate the proposals by rezoning the sites to accommodate the developments.

Recommendation

That Council:

1. receives and notes the contents of the report, and
2. resolves to prepare the planning proposal documentation as required by the Department of Planning and Environment to facilitate the development proposal as nominated within this report, and
3. submits the planning proposal to the Minister for the Department of Planning and Environment for consideration of a Gateway Determination to amend the Wentworth Local Environmental Plan 2011 in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.

Detailed Report**Purpose**

The purpose of this report is to provide detailed information with regard to the development proposals respective of the current zone of the sites and the alternative zones that would enable these developments to proceed.

The report seeks a Council resolution from the options provided.

Background

Council has been approached by two potential developers seeking advice, guidance and support for their respective proposals.

The first development proposal, Proposal #1, is located at Trentham Cliffs, adjacent to the Sturt Highway. The development proposal seeks to provide an expanded caravan park and a highway service centre.

The caravan park will provide eighty-one (81) drive through RV friendly sites, re-locatable dwelling/cabin facility, playground, tennis courts and buggy and bike rental, all situated in a fully landscaped environment. Refer to **Attachment 1** for the overall development plan.

The highway service centre will provide a 'rest' stop for truck drivers and other motorists passing through. Located on the Sturt Highway adjacent to the caravan park site, the facility will offer a truck parking area, fuel, toilet, restaurant and retail services. Refer to **Attachment 2** for the highway service centre plan.

The second development proposal, Proposal #2, is located south of the Sturt Highway, between Carramar Drive and Punt Road in Gol Gol. The proposal seeks to provide a retail precinct for the Buronga/Gol Gol area in the form of fixed shops, market stalls and a 'dry goods' supermarket, all under the one roof. Refer to **Attachment 3** for the overall concept plan.

The aim of the development is to construct a centrally located facility for local businesses and producers to sell their products, establish a small retail centre to serve the Buronga/Gol Gol community and attract tourism by developing an iconic market atmosphere and destination. The proposal is referred to as the Jewel Markets.

Matters under consideration

Both developments are proposed to be located on land of which the current zone prohibits the development.

Proposal #1

The site at Trentham Cliffs is currently affected by the zone R5 Large Lot Residential. This zone prohibits the use of land as a highway service centre. However, the use of a caravan park is permitted with consent.

In terms of assessing this proposal and determining the most suitable and appropriate zone, the surrounding land uses should also be recognised.

The site is bounded by the zone R5 Large Lot Residential, zone RU1 Primary Production zone through to the Murray River and zone SP2 State Highway being the Sturt Highway forming the frontage to the proposed development. Refer to **Attachment 4** for the current zones within the immediate area.

The land to the north is dry grassland, the land to the south is currently planted with vines, while the area between the subject site and the Murray River is naturally vegetated and is a nature reserve and natural waterway. Approximately, 300 metres south of the site, abutting the zone R5 Large Lot Residential, is the Trentham Estate Winery.

While undertaking a detailed site inspection, it was evident that the Trentham Estate Winery is a major focal point in the area. Located on the river front, the number of visitors accessing the winery from the river was noted. The mode of travel included houseboats, leisure boats and one large party were conveyed by water taxi to their next destination.

The proposal of an expanded caravan park, providing tourist accommodation and associated services could very easily incorporate the use of the river to transfer guests to and from the winery and other local attractions. The highway traffic would also be catered for through the highway service station, including the truck rest stop for freight transport.

In terms of the current and proposed uses, the area currently zoned R5 Large Lot Residential could be rezoned to SP3 Tourist zone. This zone adequately reflects the current use and expansion of the existing caravan park and will allow the permissibility of the highway service centre and associated truck stop.

The SP3 Tourist zone would also facilitate and encourage future tourism development in the area, establishing a small tourism precinct, created and supported by the winery, tourist accommodation and highway service centre.

It is recommended that the site containing the Trentham Estate Winery be rezoned from zone RU1 Primary Production to zone SP3 Tourist zone to ensure that all tourism activities that occur on site, both now and in the future, are permissible with consent. In addition to this it is intended to consult with adjoining landowners to establish the best outcome for the land while having consideration to the context of this report. Some options being considered around this is mapped as **Attachment 8**.

The river abutting the Trentham Estate Winery is zoned W2 Recreational Waterway, while the balance of the river is zoned W1 Natural Waterways zone. One of the major differences between the two zones is that the W2 Recreational Waterways zone allows for the use of the river front for charter and tourism boating facilities. The definition of this use means a *facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.*

It is suggested that in order to provide consistency of the use of the river and facilitate the tourism and recreational use from the caravan park, that a section of the river west of the caravan park site be rezoned to W2 Recreational Waterways zone.

Refer to **Attachment 5** for the SP3 Tourist land use table.

Proposal #2

The subject site in Gol Gol is currently affected by the E3 Environmental Management zone. This zone prohibits the use of the land for commercial/retail purposes. Refer to **Attachment 6** for the zone of the land.

The current zone is thought to have been applied with the intention of protecting and managing the area due to potential increased flood levels predicted as a result of the development of the area between the Sturt Highway and Carramar Drive, west of the subject site (Draft Floodplain Risk Management Study 2011).

The site is also subject to flooding in accordance with the Wentworth Local Environmental Plan 2011 Flood Planning Area Map 004F. The Wentworth Development Control Plan requires the construction of all buildings to have a floor level at a minimum of 750 mm above the 100 year recurrence flood level.

The Draft Floodplain Risk Management Study 2011 by Worley Parsons provided an alternative recommendation for commercial development. The recommendation was to have at least 25% of the floor level at an elevation equal to the 100 year recurrence flood level plus a minimum of 750 mm with the remaining 75% of the floor level at the 100 year recurrence flood level.

The site is suitably located for commercial purposes south of the Sturt Highway, which would provide a prominent visual presence from this main road. Access to the site would be provided via a constructed service road between the development site and the Sturt Highway.

To permit the development proposal to proceed, the site could be rezoned from E3 Environmental Management zone to B2 Local Centre zone. This zone allows for the use of the site for a broad range of commercial, civic, cultural and community uses that would typically service a wider catchment than just the surrounding residents. Refer to **Attachment 7** for the B2 Local Centre zone land use table.

It is also suggested that the rezoning be applied only to the land that is proposed to be developed as per the concept plan. The remaining land to the south of the site should remain as E3 Environmental Management zone, with the proposal to create an attractive landscaped environment that would allow the ease and freedom of movement of flood water during a flood event.

Planning Proposals

Both proponents/landowners have requested that Council support and facilitate their respective development concepts by preparing all associated documentation of the planning proposals to be submitted for consideration of Gateway Determinations by the Minister of Planning & Environment.

Options

Based on the information contained in this report, the options available to address this matter are to:

1. On behalf of the proponents/landowners, prepare the planning proposal documentation as required by the Department of Planning and Environment, and
2. Submit the planning proposal to the Minister for the Department of Planning and Environment for consideration of a Gateway Determination to amend the Wentworth Local Environmental Plan 2011 in accordance with Section 56 of the Environmental Planning and Assessment Act 1979, or
3. Advise the proponents/landowners that it is their responsibility to prepare their own planning proposals for submission to Council for consideration of progressing to a Gateway Determination request from the Department of Planning and Environment.

Implications

The decision item has the following implications for Council:

- The urgency of and resourcing for the preparation of the planning proposal is estimated to be approximately three weeks. This may cause a slight delay to the movement of other projects currently being worked on within the Planning Division.
- Council has the ability to support the proposed developments and actively facilitate the growth of economic development within the Trentham Hills and Gol Gol areas.
- By advising that the preparation of planning proposals requested by a proponent/developer is their own responsibility, Council portrays a negative supportive image to the broader community.

Conclusion

Council has the opportunity to provide leadership and assurance to the broader community of its commitment to encourage, support and facilitate the growth and sustainability of its economic and tourism base in the shire. Supporting these development proposals encourages growth in business, tourism and employment for Wentworth Shire Council.

Attachments

1. Trentham Cliffs Overall Development Plan
2. Trentham Cliffs Highway Service Centre Plan
3. Gol Gol Overall Concept Plan
4. Trentham Cliffs Current Zoning
5. SP3 Land Use Table
6. Gol Gol Current Zoning
7. B2 Local Centre Land Use Table
8. Trentham Cliffs Proposed Zoning Option 1 & 2

At 10:04am Councillor Bob Wheeldon left the meeting because he had previously declared a pecuniary interest in item 12.2.

At 10:04am Councillor I Whitfield left the meeting because he had previously declared a pecuniary interest in item 12.2.

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Council Resolution

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Moved Councillor Bill Wheeldon, Seconded Councillor B Wakefield

CARRIED