

**Wentworth Shire Council – Planning Proposal – ‘Northbank on Murray’  
Assessment**

|                     |                                                                                                                                                                                                        |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LGA:</b>         | Wentworth                                                                                                                                                                                              |
| <b>Amended LEP:</b> | Wentworth Local Environmental Plan 2011                                                                                                                                                                |
| <b>Address:</b>     | Lot 1 DP 1182353, Sturt Highway, Mallee                                                                                                                                                                |
| <b>Proposal:</b>    | Rezone from part RU1 Primary Production, W1 Natural Waterways and E3 Environmental Management to part SP3 Tourist, B3 Commercial Core and B4 Mixed Use, and remove the minimum lot size over the site. |

**SUMMARY OF THE PROPOSAL**

The subject land is located at Lot 1 DP 1182353, Sturt Highway, Mallee. (Refer to Locality Map – Figure 1). The site has an area of 693 hectares and is currently zoned part RU1 Primary Production, W1 Natural Waterways and E3 Environmental Management with a minimum lot size of 10,000 hectares. The planning proposal proposes to rezone the land to part SP3 Tourist, B3 Commercial Core and B4 Mixed Use, and remove the minimum lot size applicable to the land.



**Figure 1 – subject land - location in relation to Gol Gol town centre**

The planning proposal seeks to:

- Rezone 395ha of RU1 Primary Production zone land to SP3 Tourist zone;
- Introduce zone B3 Commercial Core and B4 Mixed use to the LEP;
- Rezone 135ha of RU1 Primary Production zone land to B3 Commercial Core zone;
- Rezone 145ha of RU1 Primary Production zone land to B4 Mixed Use zone; and
- Remove the 10,000ha minimum lot size over the entire site.

The site is currently used for agricultural purposes, with the former quarry and various parts of the site are cleared, vegetated with native vegetation, as well as a small vineyard operated by the local school. The site also fronts the Sturt Highway and the Murray River, and is partially flood prone.

The Wentworth Local Environmental Plan 2011 (LEP) is proposed to be amended by changes to LEP map sheets LZN\_004G and LSZ\_004G.

**Assessment under 'A guide to preparing planning proposal'**

***REQUIREMENTS UNDER SECTION 55 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT***

**1. Objective and intended outcomes:**

The objective of the planning proposal is to rezone the subject land for a master planned tourist development. The proposal also states that it intends to gain strategic support for development of the site 'over time' and that the specific developments indicated on the included Master Plan are 'illustrative of land uses that may be developed'.

The proposal is unclear in that the rezoning of the land is for the primary purpose of tourist related development, notwithstanding that several tourist related land uses are already permissible within the existing RU1 Primary Production zone. There is no justification for the extent of business zones proposed for the area, nor justification for the lack of development controls. It is unclear how, simply by rezoning the land, the large scale, integrated tourism development as proposed would eventuate across the 693 hectare site.

Further clarification is required in this regard and the proposal does not adequately meet this requirement.

**2. Explanation of provisions:**

LEP map sheet LZN\_004G and LSZ\_004G will require amendment by:

- Inserting the B3 Commercial Core and B4 Mixed Use zones and associated land use tables into the Wentworth LEP 2011;
- Rezone Lot 1 DP 1182353 from part zone RU1 Primary Production, E3 Environmental Management and W1 Natural Waterways to part SP3 Tourist, B3 Commercial Core and B4 Mixed Use; and
- Remove the Minimum Lot Size Map for Lot 1 DP 1182353 so that no minimum lot size applies.

There are no other provisions of the Wentworth LEP 2011 that are proposed to be amended. No site-specific development control plan is proposed and the site is not proposed to be identified as an urban release area for the purposes of collecting a contribution towards state infrastructure.

Although no explanation regarding the development control or urban release area provisions is provided, the proposal has explained the provisions it seeks to apply and therefore meets this requirement.

**3. Justification and process for implementation (including compliance with Section 117 Directions):**

The proposal includes basic information about the proposal's consistency with the strategic planning framework.

The proposal does not address the draft Wentworth Rural Land Use Strategy or the Buronga Golf Structure Plan.

The proposal briefly details consistency with applicable section 117 Directions. An assessment of the applicable section 117 Directions is included below.

**4. Mapping:**

The proposal includes sufficient mapping to identify the location of the site. There is indicative mapping included in the application about existing and proposed zoning. Also provided is an indicative Master Plan for the future development of the site.

The proposal meets this requirement.

## **5. Community consultation (including agencies to be consulted):**

The proposal does not contain any information regarding agency or community consultation. Should the proposal proceed to a planning proposal for Gateway determination, it is recommended that 28 days community consultation be carried out.

## **VIEWS OF COUNCIL AND AGENCIES**

The proposal was initiated by the proponent. Council outsourced the assessment of the planning proposal report, which was undertaken by Aurecon Group. The assessment report provided twenty recommendations, requiring additional work to be undertaken to support the proposal. The proponent responded and made some minor amendments and resubmitted the proposal. Council resolved on 17 May 2017 to submit the proposal to the Department seeking a Gateway determination.

The Council officer report provides no opinion within the reporting as to whether the proposal is supported or not supported.

There is no evidence to indicate that preliminary agency consultation has been undertaken.

## **PROPOSAL ASSESSMENT**

### **1. Strategic merit assessment**

- **Metropolitan strategy**

Not applicable

- **Regional Strategy/Regional Growth Plan/Subregional Delivery Plan**

No final regional strategy applies to the subject land/ area. The draft Far West Regional Plan is currently being finalised and has been on community consultation.

The draft Far West Regional Plan includes actions to facilitate tourist development in the region. The proposal is consistent with the actions of the draft Far West Regional Plan in respect to opportunities to facilitate tourist development, however, this has not been addressed in the documentation.

- **Local Strategy**

There is no local strategy prepared for the subject land. Council has embarked on a rural lands strategy project and the subject land could and should be considered in this strategic process. Council has not indicated whether this proposal is consistent with the draft strategy work.

The documentation does not address Council's existing Buronga Gol Gol Structure Plan, which is also applicable to the proposal.

The proposal has identified that it is consistent with the Wentworth Region Community Strategic Plan 2013-2023, as it facilitates the development of, and investment in the tourism industry, as well as the Wentworth Shire Economic Development Strategy 2011-2016.

Whilst the proposal does promote additional tourism development, it does not justify the large scale of the development, or adequately address the economic, environmental, social or infrastructure impacts.

In this regard, the proposal is inadequate and incomplete.

- **Section 117 Directions**

The following section 117 Directions are applicable to the proposal:

| Direction                                                  | Proponents<br>Justification/Consistency                                                                                            | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.1 Business and Industrial Zones                          | This direction has not been addressed in the planning proposal.                                                                    | <p>This direction is applicable as the proposal will introduce a business zone (total 280ha).</p> <p>The scale of the development has the potential to significantly impact the existing retail and business centres of Gol Gol, Buronga, Wentworth and Mildura. This has not been addressed in the proposal.</p> <p>It was recommended in the assessment of the proposal by Aurecon Group on behalf of Council that an economic assessment of current commercial, retail and employment land supply be undertaken to determine the need for additional business zones and the potential impact on Gol Gol, Buronga, Wentworth and Mildura. This recommendation is supported.</p> |
| 1.2 Rural Zones                                            | The proposal states that the loss of agricultural land will be minimal due to its low agricultural use and potential productivity. | <p>The removal of approximately 693ha of potential agricultural land with frontage to the Murray River is not considered to be of minor significance.</p> <p>The loss of the agricultural land is not justified by an endorsed strategy, and the proponent's justification is based on the projected economic gains from the use of the site for tourism purposes.</p> <p>The proposal does not adequately address this direction.</p>                                                                                                                                                                                                                                            |
| 1.3 Mining, Petroleum Production and Extractive Industries | The proposal does not address this direction.                                                                                      | <p>The proposal will result in the prohibition of mining activities on the land.</p> <p>Consultation with DPI is required prior to this s117 Direction being settled.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 1.5 Rural Lands                                            | The proposal is consistent with the Rural Planning Principles of the SEPP (Rural Lands) 2008.                                      | <p>The proposal will remove approximately 693ha of agricultural land from the rural landscape for non-agricultural purposes. The proposal is therefore inconsistent with this Direction, and the Rural Planning Principles of the SEPP (Rural Lands) 2008 – and these inconsistencies have not been justified through an endorsed strategy and cannot be considered as minor significance.</p> <p>The proposal does not adequately address this direction.</p>                                                                                                                                                                                                                    |

| <b>Direction</b>                                | <b>Proponents<br/>Justification/Consistency</b>                                                                                                                                                     | <b>Assessment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1 Environmental Protection Zones              | The planning proposal includes discussion that facilitate the protection and conservation of the environmentally sensitive areas of the site.                                                       | <p>The subject land is zoned part E3 Environmental Management. The portion of land which is zoned E3 at the northern edge of the site is approximately 10ha in size.</p> <p>The proposal does not adequately address this direction.</p>                                                                                                                                                                                                                                            |
| 2.3 Heritage Conservation                       | A site inspection by an aboriginal elder has been undertaken and advised the proponent in writing that the site has no cultural heritage value and no items of cultural heritage have been located. | <p>A copy of the letter to the proponent advising of no aboriginal cultural heritage value or items was not included in the proposal. Further consultation with Office of Environment and Heritage will be required and it is also recommended that an Aboriginal heritage assessment be undertaken before this s117 Direction is settled.</p> <p>The proposal does not adequately address this direction.</p>                                                                      |
| 2.4 Recreation Vehicle Areas                    | The proposal will not enable the land to be developed for a recreation vehicle area, as the existing zone RU1 and proposed SP3 land use tables prohibit the use.                                    | <p>The planning proposal is unclear in its statement, as the Master Plan included with the proposal shows a recreation vehicle.</p> <p>In addition, both the existing RU1 zoning and the proposed SP3 zoning permit 'Recreation facilities (outdoor)' with consent, which would allow for the establishment of a recreation vehicle area.</p> <p>The planning proposal is unclear in whether it is consistent or inconsistent with this Direction and further work is required.</p> |
| 3.2 Caravan Parks and Manufactured Home Estates | Not considered in planning proposal.                                                                                                                                                                | <p>This direction has not been considered in the planning proposal.</p> <p>The proposal is consistent with this direction as caravan parks are permissible with consent within the proposed SP3 zone.</p>                                                                                                                                                                                                                                                                           |
| 3.3 Home Occupations                            | Not considered in planning proposal.                                                                                                                                                                | <p>This direction has not been considered in the planning proposal.</p> <p>Residential accommodation is not a land use which has been proposed as part of the development and as such the proposal is consistent with this direction as a residential zone is not proposed.</p>                                                                                                                                                                                                     |
| 3.4 Integrating Land Use and Transport          | Existing access is provided to the site by all-weather access roads from the Sturt Highway. Upgrades will be required in accordance with                                                            | The proposal is consistent with the direction as the land is accessible and the proposal states it will provide                                                                                                                                                                                                                                                                                                                                                                     |

| Direction                                 | Proponents<br>Justification/Consistency                                                                                                                                                                                                                                                                                             | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | Roads and Martine Services requirements.                                                                                                                                                                                                                                                                                            | transport between Mildura and the site.                                                                                                                                                                                                                                                                                                                                                                                     |
| 3.5 Development near Licensed Aerodromes  | Not considered in planning proposal.                                                                                                                                                                                                                                                                                                | <p>This direction has not been considered in the planning proposal.</p> <p>The proposal does not rezone land within any ANEF contours, and the proposal is therefore consistent with the direction.</p>                                                                                                                                                                                                                     |
| 3.6 Shooting Ranges                       | Not considered in planning proposal.                                                                                                                                                                                                                                                                                                | <p>This direction has not been considered in the planning proposal.</p> <p>The proposal is consistent with this direction as it does not affect, create, alter or remove a zone or a provision in relation to land adjacent to and/or adjoining an existing shooting range.</p>                                                                                                                                             |
| 4.3 Flood Prone Land                      | The proposal notes that most of the site is outside Council's Flood Planning Area. A small portion of the site (less than 5%) which is adjacent to the Murray River is on the floodplain. Future development of this area would be required to be compatible with the NSW Floodplain Development Manual and the Wentworth LEP 2011. | <p>This Direction is not specifically addressed in the proposal.</p> <p>The proposal intends to rezone land that is located within the 1:100 flood zone to SP3 Tourist.</p> <p>The planning proposal should be amended to provide further information in relation to this direction and justification for the rezoning of flood prone land for tourism development, as it is currently inconsistent with the direction.</p> |
| 4.4 Planning for Bushfire Protection      | <p>The land is identified as bushfire prone, however it is not considered that there is identifiable bushfire hazard on the site.</p> <p>The surrounding land is predominantly cleared or has a permit to be cleared. When completed, the land will not be bushfire prone.</p>                                                      | <p>As the site is mapped as Bushfire Prone Land, consideration of Planning for Bushfire Protection 2006 is required to be consistent with this direction.</p> <p>Consultation with NSW RFS is required to address this matter.</p>                                                                                                                                                                                          |
| 5.1 Implementation of Regional Strategies | The proposal is consistent with all applicable strategies                                                                                                                                                                                                                                                                           | There is no regional strategy that applies to the proposal.                                                                                                                                                                                                                                                                                                                                                                 |
| 5.10 Implementation of Regional Plans     | Not considered in planning proposal.                                                                                                                                                                                                                                                                                                | <p>The draft Far West Regional Plan is applicable to the proposal. While the planning proposal is not required to demonstrate compliance with the Plan until it is adopted, it is recommended that the planning proposal consider the Plan in any revision.</p> <p>In terms of the draft Far West Regional Plan, the proposal is consistent with action 5.3 to identify opportunities for tourism.</p>                      |

| Direction                              | Proponents<br>Justification/Consistency                                                                                                                       | Assessment                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.1 Approval and Referral Requirements | The planning proposal does not contain concurrence, consultation or referral provisions.                                                                      | The planning proposal complies with this direction and no further work is required.                                                                                                                                                                                                                                                                               |
| 6.2 Reserving Land for Public Purposes | The planning proposal does not create, alter or reduce existing zoning or reservations of land for public purposes.                                           | The Master Plan included in the site show some public land uses potentially development on the site, such as 'riverside picnic areas', boardwalks and shared use paths. These uses are proposed to be located on land that is not zoned for public purposes. The proposal is therefore consistent with this direction and no further work is required.            |
| 6.3 Site Specific Provisions           | The planning proposal suggests a Development Control Plan to impose additional requirements in accordance with the relevant clause of the Wentworth LEP 2011. | <p>The planning proposal should be revised to consider this direction, including the consideration of existing building height, floor space controls and density controls.</p> <p>A Development Control Plan and staging of the development are also recommended to be considered by Council.</p> <p>The proposal does not adequately address this direction.</p> |

- **State Environmental Planning Policies (SEPPs)**  
The following SEPPs are applicable to the proposal:

| SEPP                          | Proponents<br>Justification/Consistency                                                                                                                                     | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SEPP (Rural Lands) 2008       | The planning proposal is consistent with the Rural Planning Principles as the economic value of the land will be increased through its contribution to tourism in the area. | <p>The proposal will result in 693ha of primary production land being rezoned for tourism and business purposes. This is directly inconsistent with Rural Planning Principles and the SEPP.</p> <p>The existing and potential agricultural sustainability and economic value of the land is not known and should be substantiated through appropriate work to determine the proposals consistency with the Rural Planning Principles.</p> <p>The proposal does not adequately address this direction.</p> |
| SEPP 55 – Remediation of Land | The proposal states that there is no history of the site being subject to contamination.                                                                                    | It is recommended that a site investigation be undertaken to determine if any contamination has occurred on the site.                                                                                                                                                                                                                                                                                                                                                                                     |

| SEPP                                  | Proponents<br>Justification/Consistency   | Assessment                                                                                                                                                                                     |
|---------------------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                       |                                           | This can be undertaken post-Gateway determination and conditioned, should the proposal be supported.                                                                                           |
| SEPP 44 – Koala Habitat Protection    | The proposal does not consider this SEPP. | An assessment under SEPP 44 is required.<br><br>The proposal does not contain adequate information to address this SEPP.                                                                       |
| SEPP – State and Regional Development | Not considered in proposal.               | The proposals capital investment value is estimated to be upwards of \$30 million and therefore may be State Significant Development.<br><br>Additional consideration of the SEPP is required. |

- **A guide to preparing Planning Proposals**

An assessment of the planning proposal against the requirements in A guide to preparing Planning Proposals is below:

| Requirement                                                                                                         | Proponents<br>Justification/Consistency                                                                                                                 | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is the planning proposal a result of any strategic study or report?                                                 | The planning proposal is not the result of a specific study or report, however is supported by a wide range of general Planning and Tourism Strategies. | The proposal has cited consistency with Councils Economic Development Strategy and Community Strategic Plan, in that the proposal promotes tourism and economic development, however neither of these plans cite the specific proposal that is being assessed.<br><br>The planning proposal is not considered to be directly related to any strategic study or report, and has been instigated by the landowners.<br><br>No strategic land use justification has been provided.<br><br>Further work is required in this regard. |
| Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way? | A change of zone is the most appropriate mechanism to achieve the outcome of the proposal.                                                              | There are several tourism-related uses that are permissible within the current RU1 Primary Production zone which are also proposed in the Master Plan, that can be undertaken without rezoning the land.                                                                                                                                                                                                                                                                                                                        |



|                                                                                                                                        |                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                        |                                                                                                                                                                       | Strategic justification for this change is required. Rezoning is the best mechanism.                                                                                                                                                                                                                                                           |
| Is there a net community benefit?                                                                                                      | The proposal has identified social and economic benefits to the region through the rezoning.                                                                          | The benefits of the proposal have been stated, but have not been substantiated through studies or evidence, which is essential, given the size of the proposal.<br><br>Further work is required.                                                                                                                                               |
| Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy? | Not applicable as no regional strategy applies to the land.                                                                                                           | Not applicable.                                                                                                                                                                                                                                                                                                                                |
| Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?                  | The proposal is consistent with the Community Strategic Plan and Economic Development Study, as it facilitates tourism development and economic growth in the region. | The proposal is consistent with Council's Community Strategic Plan and Economic Development Study, promoting tourism and economic growth in the region.<br><br>It is unknown if the proposal is consistent with the draft Wentworth Rural Land Use Strategy.<br><br>Additional work is required to justify the strategic land use change.      |
| Is the planning proposal consistent with applicable state environmental planning policies?                                             | Yes.                                                                                                                                                                  | The proposal is inconsistent with the following SEPPs: <ul style="list-style-type: none"> <li>• SEPP (Rural Lands)</li> <li>• SEPP 55 – Remediation of Land</li> <li>• SEPP 44 – Koala Habitat</li> <li>• SEPP State and Regional Development.</li> </ul> Further work is required. The proposal does not adequately address this requirement. |
| Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?                                         | Yes.                                                                                                                                                                  | The proposal is inconsistent with the following s117 directions: <ul style="list-style-type: none"> <li>• 1.1 Business and Industrial Zones</li> <li>• 1.2 Rural Zones</li> <li>• 1.3 Mining, Petroleum Production and Extractive Industries</li> <li>• 1.5 Rural Lands</li> </ul>                                                             |

|                                                                                                                                                                                        |                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                        |                                                                                                                                                                      | <ul style="list-style-type: none"> <li>• 2.3 Heritage Conservation</li> <li>• 2.4 Recreation Vehicle Areas</li> <li>• 4.3 Flood Prone Land</li> <li>• 4.4 Planning for Bushfire Protection.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   |
| 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? | The proponent states that no threatened species sightings have been recorded at the location. Most the land has been approved for clearing under separate approvals. | <p>The planning proposal does not address this requirement adequately. Evidence of clearing approvals for cultivation have been provided. The ecological report which was prepared to form the basis of any clearing approval has not been provided.</p> <p>Part of the site is zoned E3 Environmental Management, and much of the site is covered with native vegetation, which may contain threatened species and habitat for threatened species and will be subject to investigation.</p> <p>Further work is required. The proposal does not adequately address this requirement.</p> |
| Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?                                                         | Specific site constraints are to be addressed at the development application stage.                                                                                  | <p>The Master Plan included with the proposal includes some development types which may have significant impacts on the environment, such as the 'private billabong', marina and beach development.</p> <p>The planning proposal does not adequately identify specific impacts that the proposal may have on the environment.</p> <p>Further work is required.</p>                                                                                                                                                                                                                       |
| Is there adequate public infrastructure for the planning proposal?                                                                                                                     | The proposal is relying on the existing servicing arrangements in Gol Gol, which adjoins the subject land.                                                           | <p>The proposal identifies nearby services that can be connected to in Gol Gol. No assessment has been made as to the capacity of these systems given the size of the proposal.</p> <p>Consideration is required in relation to the expansion of existing services and the</p>                                                                                                                                                                                                                                                                                                           |

|                                                                                                                              |                                                                              |                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                              |                                                                              | proposed additional load from the development.                                                                                                                                                                           |
| What are the views of State and Commonwealth public authorities consulted with in accordance with the gateway determination? | No consultation with State and Commonwealth authorities has been undertaken. | No consultation with State and Commonwealth authorities has been undertaken.<br><br>Due to the size of the proposal, it is recommended that preliminary consultation with Commonwealth and State agencies be undertaken. |

## 2. PLANNING PROPOSAL CHECKLIST

| Planning Matters or Issues                                                                                    | Y/N | Comment                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Strategic planning context</b>                                                                             |     |                                                                                                                                                                                                                                                                                                   |
| Demonstrated consistency with relevant Regional Strategy.                                                     | N   | At the time the planning proposal was prepared, the draft Far West Regional Plan had not been released. The planning proposal should be revised to consider the document once released.                                                                                                           |
| Demonstrated consistency with relevant Sub-Regional Strategy                                                  | N/A | No sub-regional strategy is applicable to the proposal.                                                                                                                                                                                                                                           |
| Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy. | N   | The proposal does not address the draft Wentworth Rural Land Use Strategy or the Buronga Gol Gol Structure Plan.<br><br>The proposal has identified that it is consistent with Councils Community Strategic Plan and the Economic Development Strategy.                                           |
| Demonstrated consistency with Threshold Sustainability Criteria                                               | N   | The proposal does not consider threshold sustainability criteria.                                                                                                                                                                                                                                 |
| <b>Site description/context</b>                                                                               |     |                                                                                                                                                                                                                                                                                                   |
| Aerial photographs                                                                                            | Y   | No aerial photographs have been included by the proponent. The Aurecon Group report has included aerial photographs as part of the independent assessment.                                                                                                                                        |
| Site photos/photomontage                                                                                      | Y   | No site photos/photomontage has been included in the proposal by the proponent. The Aurecon Group has included photographs as part of the independent assessment.                                                                                                                                 |
| <b>Traffic and transport considerations</b>                                                                   |     |                                                                                                                                                                                                                                                                                                   |
| Local traffic and transport                                                                                   | N   | Local roads have been considered to access the site, however the potential increase in traffic from the development, and the capacity of the existing network and any upgrades required has not been considered.<br><br>The site fronts the Sturt Highway and RMS consultation will be essential. |
| TMAP                                                                                                          | N/A | A traffic management plan can be provided at the development application stage.                                                                                                                                                                                                                   |
| Public transport                                                                                              | Y   | The planning proposal provides consideration of public transport services relevant to the site.                                                                                                                                                                                                   |
| Cycle and pedestrian movement                                                                                 | Y   | The planning proposal provides conceptual ideas about the future cycle and pedestrian opportunities for the site.                                                                                                                                                                                 |

| Planning Matters or Issues                                                                     | Y/N | Comment                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Environmental considerations</i></b>                                                     |     |                                                                                                                                                                                          |
| Bushfire hazard                                                                                | N   | The planning proposal has not adequately addressed bushfire hazard. Referral to NSW RFS is required.                                                                                     |
| Acid sulfate soils                                                                             | N/A | The subject land is not subject to acid sulfate soils.                                                                                                                                   |
| Noise impact                                                                                   | Y   | Noise impact can be considered at the development stage.                                                                                                                                 |
| Flora/fauna                                                                                    | N   | The planning proposal does not adequately address potential biodiversity issues associated with the development of the site. Consultation with OEH is required.                          |
| Soil stability, erosion, sediment, landslip assessment and subsistence.                        | N   | Not considered in the planning proposal, however likely to be considered at the development application stage by Council.                                                                |
| Water quality                                                                                  | N   | Not considered in the planning proposal, however likely to be considered at the development application stage by Council. Consultation with Council, DPI Water and OEH is required.      |
| Stormwater management                                                                          | N   | Not considered in the planning proposal, however can be considered at the development application stage by Council.                                                                      |
| Flooding                                                                                       | Y   | The planning proposal identifies flood prone land within the site, but does not consider if development within these areas is appropriate. Consultation with OEH is required.            |
| Land/site contamination                                                                        | N   | Not considered in the planning proposal, however can be considered at the development application stage by Council. SEPP 55 should also be addressed.                                    |
| Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining) | N   | The planning proposal does not consider the impact of the development on resources.                                                                                                      |
| Sea level rise                                                                                 | N/A | The subject site is not considered to be subject to sea level rise.                                                                                                                      |
| <b><i>Urban design considerations</i></b>                                                      |     |                                                                                                                                                                                          |
| Existing site plan (buildings, vegetation, roads etc)                                          | Y   | Limited detail is provided of the internal structure of the site from the Master Plan.                                                                                                   |
| Building mass/block diagram study (changes in building height and FSR)                         | N   | A Master Plan of the development has been provided, however no details regarding the density, floor space ratio, building height and building design have been included.                 |
| Lighting impact                                                                                | N   | No details regarding potential development of the site have been provided. This can be considered at development application stage.                                                      |
| Development yield analysis                                                                     | N   | An economic analysis and supply and demand study have not been included with the proposal.                                                                                               |
| <b><i>Economic considerations</i></b>                                                          |     |                                                                                                                                                                                          |
| Economic impact assessment                                                                     | N   | The proposal states that the economic benefits of the development will be large, however are not quantified. Further justification is required due to the size of the proposal.          |
| Retail centres hierarchy                                                                       | N   | No analysis of existing commercial zoned land demand and supply in Gol Gol and Mildura, and an assessment of the impact of the proposed B3 zoned land on the site has not been supplied. |
| Employment land                                                                                | N   | No analysis of existing commercial zoned land demand and supply in Gol Gol and Mildura, and an                                                                                           |

| Planning Matters or Issues                                  | Y/N | Comment                                                                                                                                                                                                                                   |
|-------------------------------------------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                             |     | assessment of the impact of the proposed B3 zoned land on the site has not been supplied.                                                                                                                                                 |
| <b>Social and cultural considerations</b>                   |     |                                                                                                                                                                                                                                           |
| Heritage impact                                             | N   | The planning proposal states that there are no heritage items or sites located on the land, however this has not been quantified. Further justification is required due to the size of the proposal.                                      |
| Aboriginal archaeology                                      | N   | The planning proposal states that an Aboriginal elder has inspected the site and determined that there is no items or sites of cultural significance, however, evidence of this has not been provided. Consultation with OEH is required. |
| Open space management                                       | N/A | Not relevant to the proposal.                                                                                                                                                                                                             |
| European archaeology                                        | N   | The planning proposal states that there are no heritage items or sites located on the land. This is confirmed by the WLEP 2011.                                                                                                           |
| Social and cultural impacts                                 | N   | The planning proposal does not consider potential social and cultural impact.                                                                                                                                                             |
| Stakeholder engagement                                      | Y   | Stakeholder engagement is proposed following a Gateway determination.                                                                                                                                                                     |
| <b>Infrastructure considerations</b>                        |     |                                                                                                                                                                                                                                           |
| Infrastructure servicing and potential funding arrangements | N   | The capacity of existing services to provide for the proposed development has not been considered. Further justification is required due to the size of the proposal.                                                                     |
| <b>Miscellaneous/additional considerations</b>              |     |                                                                                                                                                                                                                                           |
| List any additional studies                                 | N/A | The following studies are recommended to support the proposal: economic assessment, agricultural productivity assessment, demand and supply analysis of commercial land and an ecological assessment.                                     |

### 3. CONCLUSION

A preliminary assessment of the proposal has been undertaken. It has been determined that the proposal is an inadequate application. The inadequacies are consistent with the independent Council assessment for the following reasons:

1. The proposal is inconsistent with the requirements of *A guide to preparing planning proposal* in relation to:
  - a) The proposal does not provide adequate information to determine consistency with the following section 117 Directions:
    - i) 1.1 Business and Industrial Zones;
    - ii) 1.2 Rural Zones;
    - iii) 1.3 Mining, Petroleum Production and Extractive Industries;
    - iv) 1.5 Rural Lands;
    - v) 2.1 Environmental Protection Zones;
    - vi) 2.3 Heritage Conservation;
    - vii) 2.4 Recreation Vehicle Areas;
    - viii) 4.3 Flood Prone Land; and
    - ix) 4.4 Planning for Bushfire Protection.
  - b) The proposal does not provide adequate information to determine compliance with the following SEPP's:
    - i) SEPP (Rural Lands);
    - ii) SEPP 55 – Remediation of Land;
    - iii) SEPP 44 – Koala Habitat; and
    - iv) SEPP State and Regional Development.

- c) the proposal has not addressed significant potential economic, environmental, infrastructure and social impacts in the local and regional context;
- d) demand has not been demonstrated for the development;
- e) the possible staging of the proposal has not adequately considered;
- f) the strategic justification has not been provided;
- g) there is no evidence of preliminary agency consultation; and
- h) there is inadequate information contained within the proposal to assess the application.

Without further information and additional justification, demonstrating the need and impacts of the development, the planning proposal cannot be assessed and returned to Council at this time.

## RECOMMENDATION

It is recommended that the Director Regions, Western:

- **Forms** the opinion that the proposal **is** inadequate for the reasons outlined above, and cannot be assessed at this time. The planning proposal should be returned to Council.

Prepared by:



Jenna McNabb  
Planning Officer  
Western Region

Endorsed by:



Katrine O'Flaherty  
Director Regions, Western  
Planning Services

14-07-2017