

LGA	Wentworth
PPA	Wentworth Shire Council
NAME	Rezone land at North Road, Gol Gol (23 dwellings)
NUMBER	PP_2019_WENTW_001_00
LEP TO BE AMENDED	Wentworth Local Environmental Plan 2011
ADDRESS	29 North Road, Gol Gol
DESCRIPTION	Lots 216 & 217 DP 756946 & Lots A and B DP 402812
RECEIVED	16/07/2020
FILE NO.	IRF20/3499
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1. INTRODUCTION

1.1 Description of planning proposal

Rezone the subject land from RU1 Primary Production to RU5 Village and to remove the minimum lot size provisions. The planning proposal describes the intended outcomes as *allowing the subject land to be developed for residential purposes at a density similar to that on adjoining land* (being the village of Gol Gol). A concept subdivision plan has been provided in the planning proposal at Figure 5 (p.9) showing 28 lots.

1.2 Site description

The subject land is 3.16 hectares and is located on the north eastern fringe of the Gol Gol township. The subject land is shown in Figure 2 of the planning proposal (p. 7).

The site contains a shed (and other buildings) for distributing fruit and vegetables as well as eight glasshouses for growing vegetables. It also contains an existing dwelling.

1.3 Existing planning controls

The subject land is currently zoned RU1 Primary Industry Zone with a minimum lot size of 10ha. Figures 3 and 4 of the planning proposal (p. 8) show the existing planning controls.

1.4 Surrounding area

- The context of the subject land is shown in Figure 1 of the planning proposal (p. 7).
- The area adjoins an existing Village Zone with no MLS and a Large Lot Residential Zone (across the adjoining Gol Gol Creek), which has a 5,000m² MLS.
- Gol Gol Creek is a regulated stream providing water to Lake Gol Gol and the Gol Gol wetlands.
- The town of Gol Gol is located on the Murray River, approximately 6 kilometres east of the City of Mildura, Victoria. Mildura is a Regional City of approximately 60,000 people with a very high growth rate of approximately 10%.

2. PROPOSAL

2.1 Objectives or intended outcomes

The objectives of the proposal are contained in Part 1 (p. 2) of the planning proposal. They clearly articulate the intended outcome of the planning and do not require amendment prior to community consultation.

2.2 Explanation of provisions

The proposed explanation of provisions is contained in Part 2, (p. 3) of the planning proposal. They clearly articulate how the intended outcome will be achieved, clearly stating what LEP amendments are required and do not require amendment prior to community consultation.

2.3 Mapping

The proposed maps, Figures 1-5 (p. 7-9), clearly identify the site, the existing and proposed LEP maps and do not require updating prior to community consultation.

3. NEED FOR THE PLANNING PROPOSAL

Part 3, Section A in the planning proposal provides the justification for the LEP amendment. The planning proposal would allow the land to be developed for residential purposes, similar to the adjoining Village-zoned area. It is agreed that proposal is the best means for achieving the intended outcomes.

4. STRATEGIC ASSESSMENT

4.1 State

There are no State issues of concern for this proposal.

4.2 Regional / District

The Far West Regional Plan applies to Wentworth. The planning proposal has undertaken an assessment against the goals and directions in the Regional Plan (Attachment C to the PP). It identifies an inconsistency with protecting agricultural land but indicates this is justified based on the size and location of the subject land adjoining the existing township of Gol Gol.

The planning proposal assessment and justification are considered appropriate. There are no other issues of concern in relation to regional issues.

4.3 Local

The planning proposal does not indicate its consistency with the local strategic planning framework (although it does identify relevant Community Strategic Plan issues). However, Council's covering letter provides advice that the subject land is included in the Buronga Gol Gol Structure Plan for future growth areas, this letter will be required to be available for community consultation. The Structure Plan has been publicly exhibited and is due to be adopted by Council at the next August meeting.

The Draft Buronga Gol Gol Structure Plan includes the following:

- An assumption of a high scenario growth rate to 2040 (of 2.8% per annum)
- Current supply (based on historical take up rates) of 25 years' worth of RU5 Village zoned land and 10 years' worth of R5 Large Lot Residential zoned land. The Structure Plan believes demand will be stronger if supply is increased.
- Based on higher scenario growth rate and with proposed new growth areas, the Structure Plan assumes supply for RU5 zoned land will last 17 years and R5 zoned land will last 13 years.
- The subject land is identified in Stage 1 in the Structure Plan staging plan for the supply of zoned land.

The inclusion of the subject land in the Draft Structure Plan is considered appropriate. There are no other issues of concern in relation to local issues.

4.4 Section 9.1 Ministerial Directions

The planning proposal provides an assessment against all the Ministerial Directions in Attachment B.

The following Directions are considered to be the only Directions that apply to the proposal: 1.2 Rural Zones, 1.5 Rural Lands, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 5.10 Implementation of Regional Plans (NB. The planning proposal listed other Directions as relevant to the proposal, however it is considered that they apply in this circumstance).

The proposal is consistent with abovementioned applicable Directions; however, it is inconsistent with Direction 1.2 Rural Zones as it proposes to rezone rural land for residential purposes. The inconsistency is justified in Attachment B within the planning proposal and it is agreed that inconsistency is of 'minor significance'.

4.5 State environmental planning policies (SEPPs)

The planning proposal has provided an assessment of the proposal against the State Environmental Planning Policies (Attachment A of the planning proposal). It does not identify any inconsistencies or issues of concern.

The planning proposal assessment is considered appropriate. There are no other issues of concern in relation to State issues.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

The planning proposal states, "*there will be a positive social and economic effect for the Gol Gol community stemming from the planning proposal through the development of the land for residential purposes and the resulting increase in population.*"

Gol Gol is part of the regional housing market centred around Mildura. It provides rural and rural residentially-type living in close proximity to the centre of the City. The rezoning is considered to have no negative social or economic impacts.

5.2 Environmental

The subject land has been highly modified over time for intensive agricultural activities with no remnant vegetation on the site. It is bounded on the east by the Gol Gol Creek. The planning proposal indicates that stormwater from any future subdivision would be directed to drainage infrastructure and treatment, resulting in a net benefit to the creek in terms of water quality.

The Environmental Site Assessment accompanying the planning proposal states that *“remediation and proper disposal of the contaminated soil should be considered... Onsite remediation of soil would require the preparation of a Remedial Action Plan.”*

Council has indicated that it is *“satisfied with the remedial actions required of the proponent once Gateway determination has been given.”*

Frontage of new residential lots to the Gol Gol Creek (which also retains uncleared native vegetation) would be of concern, however, Council has confirmed that no new residential lots would have frontage to the Creek – *“creek frontage would be retained for public uses for the benefit of local residents and visitors.”* The proposed zoning and the concept subdivision plan do not delineate between the proposed residential zoning/subdivision and the Creek frontage to be retained for public use. This outcome can be achieved through appropriate subdivision design at the development application stage.

Considering the above, it is considered that there will be no significant environmental impacts as part of the proposal.

6. CONSULTATION

6.1 Community

Council's proposed community consultation (including exhibition for 28 days) as provided in the planning proposal (p.11) is considered appropriate.

6.2 Agencies

Council has not identified any agency consultation. This is considered appropriate.

7. TIME FRAME

Council's proposed timeframe for completing the LEP (p.12 of the planning proposal) is considered appropriate, a condition in the gateway for a period of 12 months has reflected the proposed timeframe.

8. LOCAL PLAN-MAKING AUTHORITY

Council has not requested to be the local plan-making authority, however, given the minor nature of the proposal, it is considered appropriate for Council to be authorised to be the local plan-making authority.

9. CONCLUSION

Preparation of the planning proposal is supported to proceed with conditions.

10. RECOMMENDATION

It is recommended that the delegate of the Secretary agree that any inconsistent with section 9.1 Direction 1.2 Rural Zones is minor.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. The letter in response to the Department of Planning, Industry and Environment is to be made available with the planning proposal through the community consultation period.
3. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be the local plan-making authority.

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30.7.20

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