



Planning Proposal

Rezoning of Wentworth Township Commercial Precinct



Document Control

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INTRODUCTION

This planning proposal relates to parcels of land located in the commercial precinct of Wentworth ('the subject land'). The planning proposal seeks to rezone the subject land from RU5 Village to B2 Local Centre. The planning proposal contains amendments to the Wentworth Local Environmental Plan (WLEP) 2011 land use table and land zoning maps.

The planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the NSW Department of Planning and Environment's: *A Guide to Preparing Planning Proposals 2016 ('the guide')*. The planning proposal seeks a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979. The completed Information Checklist is provided in Appendix 1.

Council is seeking delegation to make this plan as the matters contained in the planning proposal are considered to be of local significance. The evaluation criteria for the delegation of plan making function checklist will be provided separately.

THE SUBJECT LAND

The subject land has a total area of 8.6 ha and comprises 51 individual lots of which four are Crown owned parcels, the balance of the lots are freehold as presented in Table 1. The subject land encompasses the commercial precinct of Wentworth and virtually all the commercial and service businesses in the town are located within this area (see Figure 1). Businesses located within the commercial precinct include the Supermarket, Restaurants and Cafes, Clothing and Giftware Shops, Post Office, Hotel/Motel, Medical Clinic, Pharmacy Shop Bank, Real Estate Agents, Employment Agencies and Service Station among others. The subject land is proposed for rezoning to mirror the existing business uses and also preserve suitably located lands to ensure ongoing availability of shop front premises for future commercial and business activities in Wentworth.

Table 1: Lots contained in the subject land

No.	Lot	Address	Land Tenure	Current Zoning
1	Lot 7 DP 1164403	84 Darling Street	Freehold	RU5 Village
2	Lot 1 DP 1047443	77 Adams Street	Freehold	RU5 Village
3	Lot 2 DP 1047443	14 Helena Street	Freehold	RU5 Village
4	Lot 2 Sec 25 DP 759074	75 Adams Street	Freehold	RU5 Village
5	Lot 3 Sec 25 DP 759074	73 Adams Street	Freehold	RU5 Village
6	Lot 1 DP 359161	71 Adams Street	Freehold	RU5 Village
7	Lot 2 DP 359161	72 Darling Lane	Freehold	RU5 Village
8	Lot 5 Sec 25 DP 759074	69 Adams Street	Freehold	RU5 Village
9	Lot 1 DP 877211	61-63 Adams Street	Freehold	RU5 Village
10	Lot 1 DP 132858	15 Sandwyck Street	Freehold	RU5 Village
11	Lot 1 DP 89246	17 Sandwyck Street	Freehold	RU5 Village
12	Lot 1 SP36464	64 Adams Street	Freehold	RU5 Village
13	Lot 7345 DP 1141317	Helena Street	Crown	RU5 Village

14	Lot 11 Sec 25 DP 759074	76 Darling Street	Crown	RU5 Village
15	Lot 7346 DP 1141317	Helena Street	Crown	RU5 Village
16	Lot 9 Sec 25 DP 759074	66 Darling Street	Crown	RU5 Village
17	Lot 1 SP 86362	62 Darling Street	Freehold	RU5 Village
18	Lot 1 SP 71990	61 Darling Street	Freehold	RU5 Village
19	Lot 13 DP 703145	51-53 Adams Street	Freehold	RU5 Village
20	Lot 1 DP 801822	41-49 Adams Street	Freehold	RU5 Village
21	Lot 2 DP 801822	29-39 Adams Street	Freehold	RU5 Village
22	Lot 11 Sec 23A DP 759074	27 Adams Street	Freehold	RU5 Village
23	Lot 6 Sec 23A DP 759074	52-58 Darling Street	Freehold	RU5 Village
24	Lot 5 Sec 23A DP 759074	48-50 Darling Street	Freehold	RU5 Village
25	Lot 2 DP 940039	42 Darling Street	Freehold	RU5 Village
26	Lot 1 DP 940039	36-38 Darling Street	Freehold	RU5 Village
27	Lot PT3 DP 667983	32 Darling Street	Freehold	RU5 Village
28	Lot 1 DP 1142413	28 Darling Street	Freehold	RU5 Village
29	Lot 2 Sec 23 DP 366258	11 Adelaide Street	Freehold	RU5 Village
30	Lot 1 Sec 23 DP 366258	24-26 Darling Street	Freehold	RU5 Village
31	Lot A DP 344513	57-59 Darling Street	Freehold	RU5 Village
32	Lot 5 DP 356235	55 Darling Street	Freehold	RU5 Village
33	Lot 1 DP 34800	53 Darling Street	Freehold	RU5 Village
34	Lot A DP 321536	51 Darling Street	Freehold	RU5 Village
35	Lot 4 DP 660139	49 Darling Street	Freehold	RU5 Village
36	Lot 3 DP 667984	47 Darling Street	Freehold	RU5 Village
37	Lot 1 DP 975023	47B Darling Street	Freehold	RU5 Village
38	Lot 1 DP129815	41 Darling Street	Freehold	RU5 Village
39	Lot 2 Sec 23 DP759074	41-45 Darling Street	Freehold	RU5 Village
40	Lot 1 DP 658860	33-39 Darling Street	Freehold	RU5 Village
41	Lot 11 DP 387344	29 Darling Street	Freehold	RU5 Village
42	Lot 1A DP 387344	3 Adelaide Street	Freehold	RU5 Village
43	Lot 2 DP 1042531	12 Adelaide Street	Freehold	RU5 Village
44	Lot 1 DP 1042531	12 Adelaide Street	Freehold	RU5 Village
45	Lot 1 DP 388931	10 Adeliade Street	Freehold	RU5 Village
46	Lot 1 DP1033391	8 Adelaide Street	Freehold	RU5 Village
47	Lot 2 DP1033391	8 Adelaide Street	Freehold	RU5 Village
48	Lot 11 Sec 22 DP 759074	14-16 Darling Street	Freehold	RU5 Village
49	Lot 10 Sec 22 DP 759074	14-16 Darling Street	Freehold	RU5 Village
50	Lot 6 Sec 23 DP 759074	4 Adelaide Street	Freehold	RU5 Village
51	Lot 1 DP 658861	2 Sandwych Street	Freehold	RU5 Village



Figure 1: Subject Land

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

This planning proposal proposes an amendment to the land zoning map and land use table of the Wentworth Local Environmental Plan (WLEP) 2011. The specific objectives and intended outcomes of the planning proposal are to:

- a) Ensure protection and availability of the subject land for their current and future commercial uses.
- b) Ensure the zoning of the subject land accurately reflects the actual uses and purposes.
- c) Achieve optimum planning, land use and management outcomes and public interest for the subject land.

PART 2 – EXPLANATIONS OF PROVISIONS

The subject land is proposed to be rezoned to B2 Local Centre based on the assessed current uses and potential future uses under the Sustainable Wentworth Strategy 2016. The intended outcome will be achieved by amending the Wentworth Local Environmental Plan (WLEP) 2011 as follows:

- Introduce the *B2 Local Centre* zone and the associated Land Use Table as per Table 2.
- Insert an amended Land Zoning Map LZN 002D as per Figure 3.

Table 2: Land Use Table for Zone B2 Local Centre

Zone B2 Local Centre
1 Objectives of zone <ul style="list-style-type: none"> • To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. • To encourage employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. • To encourage the development and expansion of business activity that will contribute to the economic growth of Wentworth Shire.
2 Permitted without consent Environmental protection works; Home-based child care; Home occupations; Roads; Water reticulation systems
3 Permitted with consent Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4
4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Open cut mining; Recreation facilities (major); Research stations; Resource recovery facilities; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities

PART 3 – JUSTIFICATION

This section sets out the reasons for the intended outcomes and provisions in this planning proposal. The questions to which responses have been provided are taken from the guide.

Section A – Need for the Planning Proposal

Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is consistent with the Sustainable Wentworth Strategy. This document was adopted by the Wentworth Shire Council in August 2016 to guide the future development of the township of Wentworth and to provide opportunities for alternative uses of specific sites around the township.

The strategic document identifies and recommends the subject land for rezoning to facilitate future economic growth of the commercial sector in the town. The rezoning of the subject land will also ensure that the land zoning applied accurately reflects on the ground uses and purposes of the land.

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

This planning proposal is considered to be the best means of achieving the objective and intended outcome for the subject land consistent with the Environmental Planning and Assessment Act 1979. The objective and intended outcomes aim to facilitate efficient and sustainable development and use of the subject land to meet current and future needs of the Wentworth community.

This planning proposal seeks to rezone the subject land from RU5 Village to B2 Local Centre given its locational characteristics and advantages. Although the current RU5 Village zoning applied to the subject land permits business land uses, it does not protect the land specifically for these purposes. This situation has already resulted in a shortage of shopfront premises within the commercial precinct of Wentworth, which could have adverse implications on the growth of the commercial sector in the town, especially in the future. It is envisaged that the proposed zone B2 Local Centre will help define and create a robust commercial precinct, as well as protect suitably located vacant land for business uses in the town. This will ensure ongoing availability of business land to facilitate and support future economic growth in the commercial sector of Wentworth.

These intended outcomes can only be achieved through a planning proposal to amend the land use table and the relevant land zoning map contained in the WLEP 2011.

Is there a net community benefit?

There is net community benefit from the planning proposal through generation of economic and social gains in the Wentworth Township. The planning proposal affords opportunity for business growth, land security and job creation in Wentworth by ensuring availability of land for future business expansion and development in the town. The application of the proposed zone B2 Local Centre to the subject land will facilitate the development of a range of commercial activities in Wentworth. This will ensure availability of essential retail and commercial services to the community as well as provide greater opportunity for continued economic growth in Wentworth.

Section B – Relationship to Strategic Planning Framework

Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The regional plans applicable to the planning proposal are the Far West Regional Plan 2036 and the Draft Murray Regional Strategy 2009-2036.

The Far West Regional Plan 2036 is the NSW Government's 20-year development blueprint for the future of Western NSW. The goal of the plan is to create a diverse economy supported by the right infrastructure, an exceptional natural environment and resilient communities in the Far West region. This planning proposal is consistent with the plan as the rezoning will facilitate growth of commercial and retail businesses in Wentworth.

The Draft Murray Regional Strategy 2009-2036 is a long-term land use planning strategy prepared by the NSW Government to guide sustainable land use and economic development in the NSW Murray Region over a period of 25 years. Among others, the strategy identifies the need for an adequate supply of new employment land and continued provision of adequate services and infrastructure to

support residents and jobs in the region. The planning proposal is consistent with this strategy as it will provide opportunity for the growth of diverse commercial and retail businesses that are required to support and promote the long term economic development and sustainability of the Wentworth Township.

Is the planning proposal consistent with a council's local strategy or other local strategic plan?

This planning proposal is consistent with the Wentworth Shire Council's Community Strategic Plan 2017-2027 and the Sustainable Wentworth Strategy 2016.

The Community Strategic Plan 2017-2027 articulates a vision of making the Wentworth Shire a thriving region, supported by a robust economic base, distinctive open spaces, and strong local governance and leadership. The four strategic goals of the plan are to make the Wentworth Shire a:

- a) vibrant, growing and thriving shire;
- b) desirable shire to visit, live, work and invest;
- c) community that works to enhance and protect its physical and natural assets; and
- d) caring, supportive and inclusive community that is informed and engaged in its future.

This planning proposal to rezone the subject land is consistent with the goals of the plan in that the proposed B2 Local Centre zone will promote business growth, job creation and local economic development in Wentworth. Thus, the objectives and intended outcomes of this planning proposal enable execution of strategies and actions developed to achieve the goals and deliver the vision of the strategic plan.

This planning proposal is consistent with the Sustainable Wentworth Strategy, which was adopted by the Wentworth Shire Council in August 2016. The strategic document was developed to guide development of the Wentworth Township to ensure continued provision and availability of services that meet the expectations and future needs of the residents. The recommendation section of the document states that the subject land which is currently zoned RU5 Village should be rezoned to support anticipated future land uses required for ensuring continued growth and sustainability of the township. Specifically '*Recommendation 11*' identified and recommended the subject land to be rezoned to B2 Local Centre to better define the commercial precinct, ensure continued availability of land for business/retail development and facilitate future growth of the commercial sector in Wentworth. Therefore, this planning proposal in effect implements this strategic document, which was strongly supported by the community and the Council.

Is the planning proposal consistent with applicable State Environmental Planning Policies?

There is no applicable SEPP for this site.

Is the Planning Proposal consistent with applicable Ministerial Directions (s. 9.1 Directions)?

The relevant Section 9.1 Directions are assessed in Table 3 below.

Table 3: Assessment of Site 16 against applicable Ministerial Directions

Section 9.1 Direction	Applicable (Y/N)	Consistent (Y/N)	Comment/Justification
1. Employment and Resources			
1.1 Business and Industrial Zones	Y	Y	This planning proposal is consistent with this direction, as it will provide opportunities for business establishment and growth in a suitable location in Wentworth.
2. Environment and Heritage			
2.3 Heritage Conservation	Y	Y	The planning proposal does not seek to modify or reduce any heritage protection and conservation standards applying to heritage items at the subject land.
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	Y	N	This planning proposal is inconsistent with this direction as it proposes to rezone the subject land from RU5 Village to B2 Local Centre. The inconsistency is of minor significance as this planning proposal does not seek to modify the permissible residential uses and densities applicable to the subject land. In addition, the planning proposal has the strategic support of the Sustainable Wentworth Strategy which identified the site for the proposed zone.
3.3 Home Occupations	Y	Y	This planning proposal is consistent with this Direction as it will encourage the carrying out of home occupations.
3.4 Integrating Land Use and Transport	Y	Y	This planning proposal is consistent with this direction as the proposed business zone is within walking and cycling distance and as such will not increase car dependent travel.
5. Regional Planning			
5.10 Implementation of Regional Plans	Y	Y	The planning proposal is consistent with all relevant regional plans as discussed under Section B of Part 3 above.
6. Local Plan Making			
6.1 Approval and Referral Requirements	Y	Y	Council has consulted with Crown Lands and obtained approval to proceed with the proposed rezoning.

Section C – Environmental, social and economic impact

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 proposed rezoning will not have adverse impact on critical habitat or threatened species, populations or ecological communities, or their habitats.

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

There are no other foreseen significant environmental effects associated with the proposed rezoning of the subject land.

How has the planning proposal adequately addressed any social and economic effects?

The planning proposal will provide opportunities for economic growth in the commercial and service sectors in Wentworth by ensuring availability of retail and business premises in the commercial precinct.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The planning proposal will not result in additional demand for public infrastructure.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Council has consulted with Crown Lands and obtained approval to proceed with the proposed rezoning. No further consultation with any State or Commonwealth public authority has been conducted for this planning proposal.

PART 4 – MAPPING

This part contains the mapping for this planning proposal in accordance with the guide.

The planning proposal seeks to amend sheet **LZN_002D** of the Land Zoning Map of the Wentworth Local Environmental Plan 2011. Maps of the current and proposed land zoning for the subject land are presented in Figures 2 and 3 below.

Council requests the ability to lodge the template maps at Section 3.36 stage rather than prior to exhibition. The maps provided as part of this planning proposal are detailed enough for public exhibition purposes.

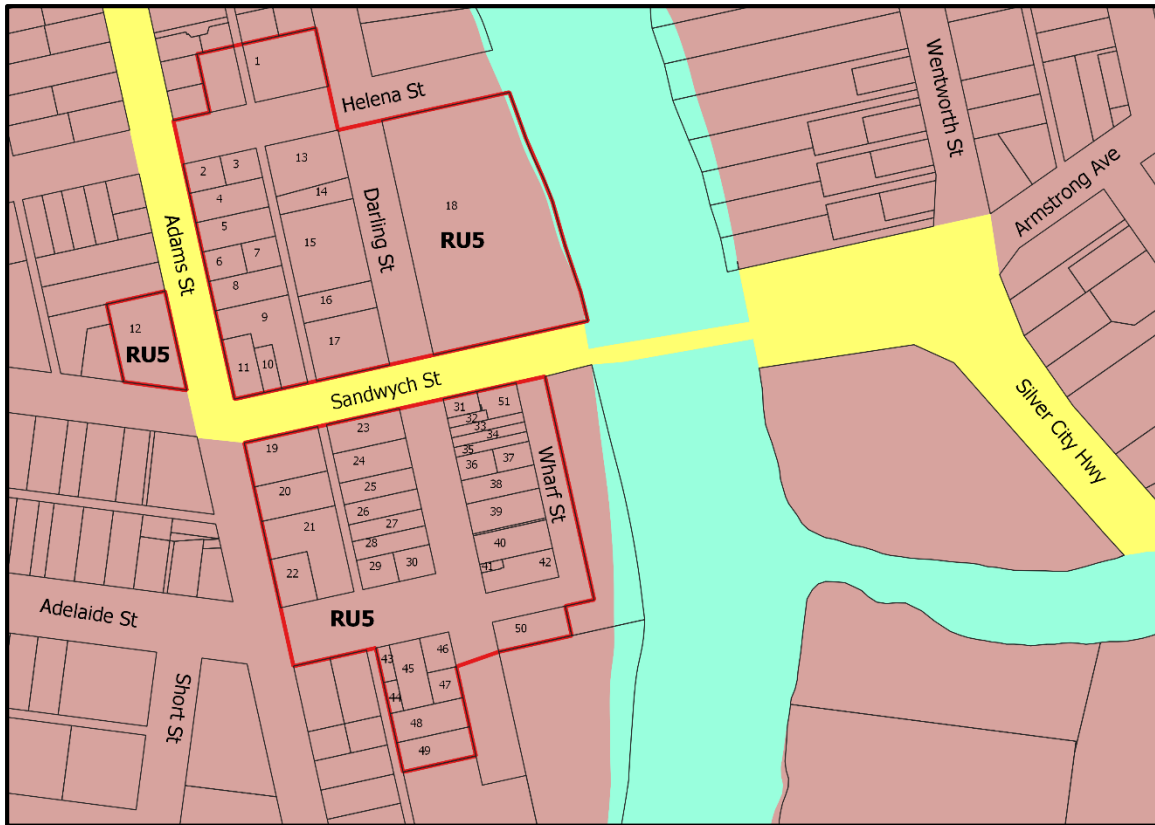


Figure 2: Current Land Zoning of Subject Land

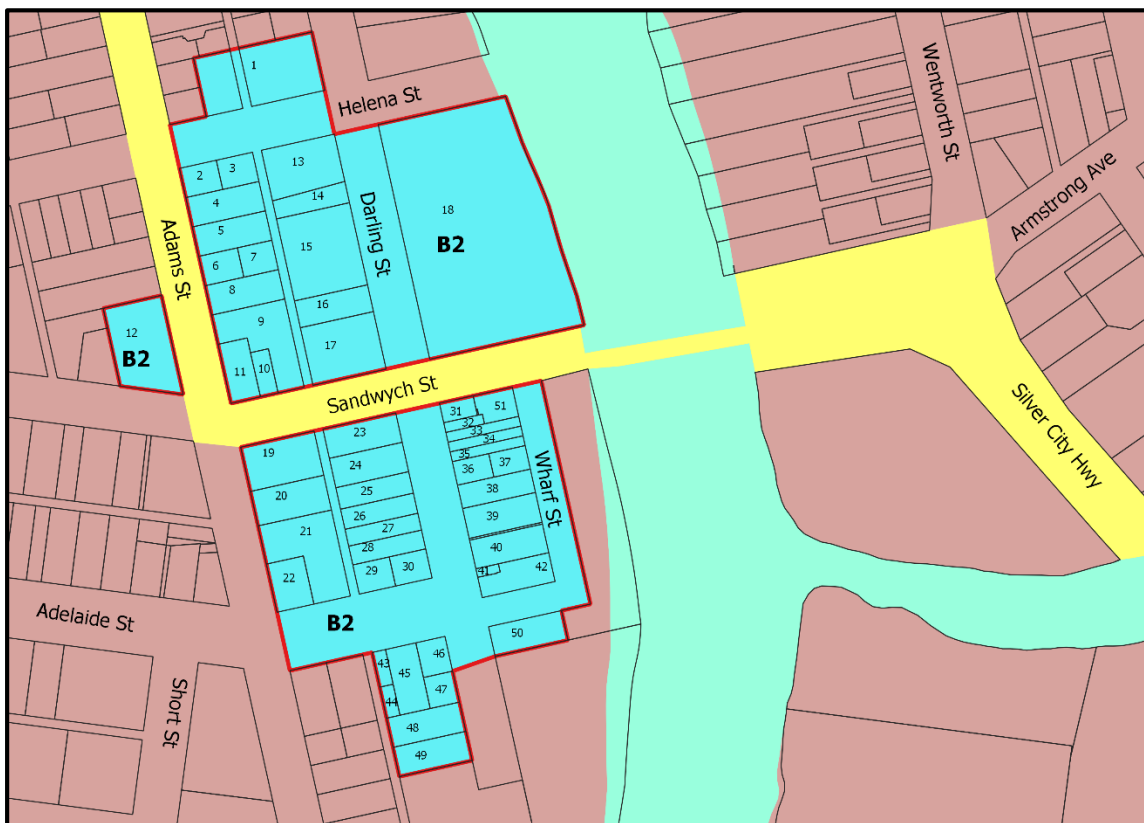


Figure 3: Proposed Landing Zoning for Subject Land

PART 5 – COMMUNITY CONSULTATION

Council has conducted initial consultation with DPI Crown Lands, as owner of some of the subject parcels of this planning proposal. DPI Crown Lands has consented to the proposed rezoning of those parcels of land.

In addition, community consultation was undertaken during the preparation of the Sustainable Wentworth Strategy 2016, which forms the basis of this planning proposal. As part of the consultation process, all owners of the parcels of land affected by this planning proposal were notified individually by mail. Of the numerous submissions received during consultation of the strategy, only one objection was submitted relating to the rezoning of the subject land to B2 Local Centre. This objection was considered and addressed by the strategy.

Additional public exhibition and community consultation will be undertaken by Council as part of the Gateway determination process. Given the minor scale and low impact nature of the planning proposal, it will be exhibited for a period of 28 days in accordance with Clause 4 of Schedule 1 of the EP&A Act 1979 and the NSW Department of Planning and Environment's: *A guide to preparing local environmental plans 2016*. A public hearing will be conducted as part of the public exhibition period if required by the Gateway determination.

PART 6 – PROJECT TIMELINE

The indicative timeframe for completing the planning proposal is presented in Table 4 below.

Table 4: Project timeline

Task	Timeframe
Anticipated commencement date (date of Gateway determination)	July 2019
Anticipated timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation as required by Gateway determination	
Pre exhibition	August 2019
Post exhibition	November 2019
Commencement and completion dates for public exhibition period	September 2019
Dates for public hearing (if required)	Not applicable
Timeframe for consideration of submissions	October 2019
Timeframe for the consideration of a proposal post exhibition	December 2019
Date of submission to the Department to finalise the LEP	February 2020
Anticipated date RPA will make the plan (if delegated)	January 2020
Anticipated date RPA will forward to the Department for notification	February 2020

CONCLUSION

The planning proposal seeks to rezone various parcels of land in Wentworth consistent with a strategic plan for sustainable growth of the township. The subject land is proposed to be rezoned to promote growth of the commercial sector, as well as optimise the use of the land. The planning proposal will bring net community benefit to the Wentworth Township.

The planning proposal is consistent with the relevant Section 9.1 Ministerial Directions, regional plans and Council's strategic plans. The planning proposal is of minor local significance and will have no negative economic, environmental or social impacts on the local area.

APPENDIX 1: INFORMATION CHECKLIST

STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- | | |
|--|--|
| <ul style="list-style-type: none"> • Objectives and intended outcome • Mapping (including current and proposed zones) • Community consultation (agencies to be consulted) | <ul style="list-style-type: none"> • Explanation of provisions • Justification and process for implementation (including compliance assessment against relevant section 117 direction/s) |
|--|--|

STEP 2: MATTERS – CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A		To be considered	N/A
Strategic Planning Context			Flooding	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Consistent with the relevant regional plan, district plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land/site contamination (SEPP55)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with a relevant local council strategy that has been endorsed by the Department; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sea level rise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Seeking to update the current planning controls if they have not been amended in the last 5 years.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Urban Design Considerations		
Site Description/Context			Existing site plan (buildings vegetation, roads, etc)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aerial photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Building mass/block diagram study (changes in building height and FSR)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site photos/photomontage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lighting impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Traffic and Transport Considerations			Development yield analysis (potential yield of lots, houses, employment generation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Local traffic and transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Economic Considerations		
TMAP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Economic impact assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Retail centres hierarchy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cycle and pedestrian movement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Employment land	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Considerations			Social and Cultural Considerations		
Busfire hazard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Heritage impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Acid Sulphate Soil	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aboriginal archaeology	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open space management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Flora and/or fauna	<input type="checkbox"/>	<input checked="" type="checkbox"/>	European archaeology	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soil stability, erosion, sediment, landslip assessment, and subsidence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Social & cultural impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Stakeholder engagement	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stormwater management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Infrastructure Considerations		
			Infrastructure servicing and potential funding arrangements	<input type="checkbox"/>	<input type="checkbox"/>
			Miscellaneous/Additional Considerations		
			List any additional studies that should be undertaken post Gateway determination		