

9.16 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL FOR RECREATION & INFRASTRUCTURE ZONES IN WENTWORTH

File Number: RPT/19/806

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Paul Amoateng - Development Services Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
 Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

Council's Health and Planning Division has prepared a Planning Proposal to rezone fifteen (15) recreational areas and infrastructure sites ('subject sites') in the Wentworth Township.

The Planning Proposal seeks to amend the Wentworth Local Environmental Plan (WLEP) 2011 by rezoning the subject sites to RE1 Public Recreation zone, RE2 Private Recreation zone and SP2 Infrastructure zone based on their existing or intended uses.

Recommendation

- a) That Council resolves to submit the Planning Proposal to amend the Wentworth Local Environmental Plan 2011, by rezoning the subject sites to RE1 Public Recreation zone, RE2 Private Recreation zone and SP2 Infrastructure zone, to the Minister for Planning and Public Spaces for consideration of a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act (EP&A Act) 1979.
- b) That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Detailed Report

Purpose

The purpose of this report is to provide Council with sufficient information to make an informed decision on the planning proposal.

Refer to Attachment 1 – Wentworth Recreation & Infrastructure Planning Proposal.

Background

The Wentworth Shire Council adopted the Sustainable Wentworth Strategy in August 2016.

The primary purpose of this strategic document was to provide a framework for guiding the development for the Wentworth Township to ensure continued provision and availability of services that meet the expectations and future needs of the residents.

Among others, the strategic document specifically identified and recommended the subject sites of this planning proposal be rezoned to more accurately reflect the on ground activities and purpose of the subject lands.

Refer to Attachment 2 on previous report – Sustainable Wentworth Strategy.

Consequently, the planning proposal to rezone the subject sites has been prepared as part of implementation of the actions contained in the Sustainable Wentworth Strategy. The planning proposal is now before Council for the purposes of seeking a Council resolution to submit it to the Minister for Planning and Public Spaces for consideration of a Gateway

Determination, in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.

Matters under consideration

Council's Health and Planning Division has prepared a planning proposal to rezone fifteen (15) recreational areas and infrastructure sites in the Wentworth Townships.

Under the Wentworth Local Environmental Plan 2011, twelve (12) of the subject sites are currently zoned RU5 Village, one site is zoned RU1 Primary Production and two sites have split zones of RU5 Village and RU1 Primary Production.

Refer to Attachment 2 – Summary of subject lands.

The sites contain Crown Owned land with Wentworth Shire Council as Trustee, as well as freehold land owned by Wentworth Shire Council. Fourteen of the sites are used for recreational purposes such as parks and playgrounds, while one site is used for infrastructure purposes and currently contains the Wentworth Water Treatment Plant.

This Planning Proposal proposes to rezone subject sites to RE1 Private Recreation, RE2 Private Recreation and SP2 Infrastructure based on their assessed current uses and potential future uses under the Sustainable Wentworth Strategy 2016. This is to ensure that the zoning applied to the subject sites better reflect on the ground uses and purposes of the sites, as well as to support their effective management.

The Planning Proposal is consistent with relevant regional plans, local strategies, State Environmental Planning Policies (SEPPs) and Section 9.1 Ministerial Directions.

Prior to preparing this report, initial consultation with NSW Crown Lands has been undertaken to obtain their advice and comment. The response received from the department indicated they support the planning proposal.

Refer to Attachment 3 – NSW Crown Lands letter.

Options

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

- Submit the Planning Proposal to the Minister for Planning and Public Spaces for consideration of a Gateway Determination, or
- Refuse to support the Planning Proposal.

Legal, strategic, financial or policy implications

The endorsement of the attached Planning Proposal will allow it to be submitted to the Minister for Planning and Public Spaces for consideration of a Gateway Determination in accordance with the Environmental Planning and Assessment Act 1979.

This action will also provide Council the opportunity to progress the implementation of the Sustainable Wentworth Strategy 2016 to ensure suitable zones are applied to the subject sites to reflect and support their current uses and purposes.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to resolve to submit the planning proposal to the Minister for Planning and Public Spaces for consideration of a Gateway Determination.

Attachments

1. 2019 Wentworth Recreation & Infrastructure Planning Proposal [↓](#)
2. Summary of subject lands [↓](#)
3. NSW Crown Lands Response [↓](#)