WORTH THE DRIVE

WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011

PLANNING PROPOSAL

RU5 VILLAGE ZONE TO E1 LOCAL CENTRE ZONE

FROM 65 HENDY ROAD TO 7386 STURT HIGHWAY GOL GOL

JUNE 2022

Document History

Version	Purpose	Author
Draft 1	Draft for Agency Consultation	Michele Bos
Draft 2	Draft for Council Resolution	George Kenende

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INTRODUCTION

This planning proposal has been prepared by Wentworth Shire Council as a consequence of a recommendation in the Buronga Gol Gol Structure Plan (BGGSP). The Implementation Plan of the BGGSP included Recommendation 7 – Planning proposal to rezone Hendy Road Commercial Precinct.



Figure 1 Study Area, Existing Zone and Proposed E1 Local Centre zone

Due to the rapid growth and development occurring in the Buronga Gol Gol area, the BGGSP identified the necessity to ensure centrally located land is available for new and emerging commercial development to provide retail services to the community. The commercial precinct will be Buronga Gol Gol's first formalised retail and business centre and will provide for a range of commercial, civic, cultural and associated residential development providing social and economic benefits to the community.

The new E1 Local Centre zone will replace the existing RU5 Village zone over fourteen (14) (or part thereof) allotments. The area to be rezoned is approximately 15 hectares. Lot 1 DP 848480 will be rezoned to SP2, to better reflect its current and future use by Council for water infrastructure. The current RU5 land does not have a minimum lot size (MLS) and none is proposed for the new E1 zone.

The planning proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment *Local Environmental Plan Making Guideline December 2021.*

The planning proposal seeks a Gateway Determination to proceed under Section 3.34 of the *Environmental Planning and Assessment Act 1979.*

Wentworth Shire Council is seeking delegation to make this plan as the matter contained in the planning proposal are of local significance.

SITE DETAILS

The subject land has an emerging 'village style' commercial precinct that has evolved during the past few years, particularly around the Wentworth Shire Council Midway Centre.

Development in the area includes a supermarket and specialty shops, service station, state agencies offices and associated car parking and two dwellings with associated buildings as shown in figure 2.



Figure 2 Existing commercial area in Study Area

Remaining land is either vacant or still under horticultural cropping.

Table 1 Allotments included in	planning proposal
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No.	Land Identifier	Current	Proposed	Tenure	Current land use
		Zone	Zone		
1	Lot 2 DP 1222570	RU5 Village	E1 Local	Freehold	Vacant, with development
	(Part)		Centre		approval for 8 commercial
					buildings
2	Lot 6 DP1029509	RU5 Village	E1 Local	Freehold	Commercial - Office
			Centre		
3	Lot 5 DP1029509	RU5 Village	E1 Local	Freehold	Vacant
			Centre		
4	Lot 2 DP870633	RU5 Village	E1 Local	Freehold	Service Station
			Centre		
5	Lot 1 DP1213735	RU5 Village	E1 Local	Freehold	Commercial –
			Centre		Supermarket & boutique
					shops
6	Lot 2 DP1213735 (Part)	RU5 Village	E1 Local	Freehold	Horticulture
			Centre		
7	Lot 125 DP756946	RU5 Village	E1 Local	Freehold	Dwelling, packing shed,
	(Part)		Centre		horticulture crop
8	Lots 1 DP873390	RU5 Village	E1 Local	Freehold	WSC Midway Centre
			Centre		(Customer Service,
					Library, Conference &

					meeting rooms facility, Basketball stadium)
9	Lot 2 DP873390	RU5 Village	E1 Local Centre	Freehold	WSC Midway Centre (Customer Service, Library, Conference & meeting rooms facility, Basketball stadium)
10	Lot 1 DP1092845	RU5 Village	E1 Local Centre	Freehold	Development approval for a commercial building with 4 leasable space
11	Lot 11 DP877693	RU5 Village	E1 Local Centre	Freehold	Commercial - Office
12	Lot 1 DP848480	RU5 Village	SP2 Infrastructure	Freehold	Midway Water Storage Reservoir
13	Lot 27 DP1243078 (Part)	RU5 Village	E1 Local Centre	Freehold	Subdivision approval for 2 commercial Lots with highway access in place.

The subject land has direct access to Hendy Road/Sturt Highway and is located adjacent to existing and emerging residential development to the north, west and east.

South of Hendy Road/Sturt Highway is the Carramar Drive Sporting Complex which comprises a sports oval, cricket pitches, tennis courts and associated buildings. The southern end of the sporting complex has a natural parkland with established walking/cycling tracks and is adjacent to the Murray River.

The subject site is not affected by the Flood Planning Area Map Sheet CL1_004F applicable to Buronga and Gol Gol in the Wentworth LEP 2011, as shown below:



Figure 3 Flood Planning Area Map

The subject site is partially affected by the Urban Release Area Map – Sheet URA_004F applicable to the Buronga and Gol Gol area in the Wentworth LEP 2011, as shown below:



Figure 4 Urban Release Area Map

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this planning proposal is to amend the Wentworth LEP 2011 to establish a centralised commercial precinct which will have the capacity to encourage and accommodate new commercial development to service the growing community of Buronga Gol Gol.

The intended outcomes include:

- Create a well-defined commercial precinct in a highly visible and accessible location
- Provide space for the establishment of new businesses
- Benefit the local and growing community through the provision of commercial services
- Facilitate connectivity between existing and new commercial and residential development

PART 2 – EXPLANATION OF PROVISIONS

The objectives and intended outcomes will be achieved by amending the Wentworth LEP 2011 as follows:

Amend the Land Zoning Map – Sheet LZN_004F by rezoning the subject land from RU5
 Village to the E1 Local Centre and SP2 Infrastructure zone.

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

SECTION A - NEED FOR THE PLANNING PROPOSAL

 Is the planning proposal a result of an endorsed LSPS, strategic study or report? The subject land was identified in the Buronga Gol Gol Structure Plan 2020. The BGGSP was endorsed by the Department of Planning 5 November 2021.

The BGGSP was prepared by Council to facilitate well planned and sustainable development in the localities of Buronga and Gol Gol, by guiding and planning for land use changes, infrastructure development and public and recreational spaces for the growing community.

To cater for additional population growth, the BGGSP proposed the introduction of a centralised commercial precinct to promote self-sufficiency and encourage connectivity for the two localities.

The creation of the commercial precinct will provide a boost the local economy by providing opportunity for start-up businesses such cafes, restaurants, boutique shops and miscellaneous stores. These shops will be very beneficial to the local community who will be able to walk or cycle to access daily essentials such as food and other supplies, without needing to travel by car to Mildura.

It is anticipated a wide mix of uses will make more activities and services available in one location accessible by walking, cycling and public transport, and consequently promote self-reliance and an active lifestyle in Buronga Gol Gol.

Accordingly, the strip of land located to the north of Hendy Road should be rezoned from RU5 Village to E1 Local Centre. The area of the land proposed for E1 Local Centre is approximately 15 hectares. The RU5 Village zone currently applied to the land allows for

business activities, however rezoning it to E1 Local Centre will ensure it is protected and reserved for commercial development and thereby centralise and consolidate commercial activities required to provide essential services to residents and boost the local economy in Buronga Gol Gol. In other words, a E1 Local Centre will better facilitate development of the proposed Commercial Precinct in the area.

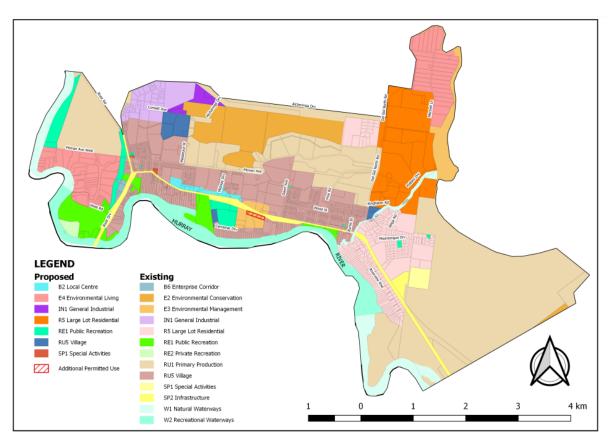


Figure 5 Extract from the Buronga Gol Gol Structure Plan showing future land use zones

This planning proposal enacts upon Recommendation 7 of the BGGSP.

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

It is considered that the planning proposal is the best means of achieving the objectives and intended outcomes for the Buronga and Gol Gol communities.

By applying the E1 Local Centre zone over the subject land, it effectively protects the area to create a commercial precinct which will consolidate this type of development in a centralised location.

SECTION B – RELATIONSHIP TO THE STRATEGIC PLANNING FRAMEWORK

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)? The Far West Regional Plan is the NSW Government's 20 year development blueprint for the future of the far west region. The goal of the plan is to help communities in the region to adapt to meet future challenges whilst ensuring the ongoing liveability of local communities

and the health of the natural environment. The planning proposal is consistent with the following directions of the Far West Regional Plan:

Direction	Response
Direction 12: Enhance the productivity of	Historically, Buronga and Gol Gol residents
employment lands	have relied heavily on retail services over
Action - 12.6 Accommodate future	the Murray River in Mildura, Victoria.
commercial and retail activity in existing	However, during recent years, as the area
commercial centres, unless there is a	has experienced growth and new
demonstrated need and positive social and economic benefits for the community	development, a village style commercial precinct has evolved. The precinct is suitably located centrally between both townships. To encourage further commercial development and to consolidate this type of development, the BGGSP has recommended that an adequate area of land be rezoned to a commercial zone. This will ensure that the provision of new retail and business services are established within the precinct and not forced out by the current, rapid spate of residential development. The flow on effects will include economic growth and prosperity for businesses and increased employment opportunities for the community. The planning proposal is consistent with Direction 12 of the Far West Regional Plan 2036.
Direction 20: Manage change in settlements	As the population of Buronga and Gol Gol townships increase, there will also be demand on the availability of land for commercial development to service those communities. The planning proposal aims to protect a centrally located area of land for commercial purposes in order to provide services and employment to those moving in to the area. As retail services and employment opportunities grow, the reliance on travelling to and from Mildura will be decreased. The planning proposal is consistent with Direction 20 of the Far West Regional Plan 2036.
Direction 21: Strengthen communities of	An ongoing relationship between the

Table 2 Consistency with FWRP

ol and Mildura, is continuing, as both entres operate within the same housing arket and have similar requirements for frastructure and servicing. This Planning roposal will create jobs and bring people the area which will only serve to rengthen and enhance our cross-border ettlements and the relationship with hildura.
rection 21 of the Far West Regional Plan
en fr ro re eti lil

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan? Wentworth Local Strategic Planning Statement 2020

Wentworth Shire Local Strategic Planning Statement 2020 (LSPS) was prepared in collaboration with the Department of Planning, Industry & Environment Chief Planner's office and Western Region staff.

One of the Primary Settlement Strategies under Planning Priority 6 – Sustainable settlements for Buronga and Gol Gol is:

iii. Support the development of the new local centre at Midway Drive by concentrating new commercial, retail, community and other non-residential development in the vicinity.

This planning proposal is consistent with the LSPS as it aims to establish a commercial precinct for new commercial development within the Midway Drive area and protect that area of land from being developed for purposes, other than commercial.

Wentworth Community Strategic Plan 2022-2032

The community vision of the Wentworth Community Strategic Plan 2022-2032 (CSP) is:

Wentworth Shire will work together to create a thriving, attractive and welcoming community.

In order to achieve the current vision, Council has applied the Quadruple Bottom Line approach with the following categories:

- Economic A vibrant, growing and thriving region
- Social A great place to live
- Environmental A community that works to enhance and protect its physical and natural environment

• Civic leadership – Is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

The planning proposal will give effect to the CSP by ensuring that land use and development planning controls are responding to actual and anticipated growth and subsequent development by ensuring that there is suitably zoned land for the provision of services, in this case, commercial services.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

NSW 2040 Economic Blueprint – Investing in the state's future

The NSW 2040 Economic Blueprint was developed to inform what the state can achieve economically over the next twenty years and to assist the NSW State Government with determining where state funds and investment should be injected, in order to achieve the overall aspirations of the document.

The two aspirations of the NSW 2040 Economic Blueprint applicable to this planning proposal include:

- 1. Our economy should be diversified
- 2. Our regions should be productive and growing

The planning proposal is consistent with the NSW 2040 Economic Blueprint – Investing in the state's future.

20 Year Economic Vision for Regional NSW 2021

The 20 Year Economic Vision for Regional NSW (EVR) is a plan to drive sustainable, long term economic growth and development in regional NSW.

The EVR divides the state into five regional economies, of which Wentworth falls within the Western Murray region. The focus areas of the EVR for Western Murray applicable to this planning are:

- Attract domestic and international visitors by developing areas with tourism potential
- Provide pathways for upskilling and connectivity for jobs

The planning proposal is consistent with the 20 Year Economic Vision for Regional NSW.

Economic Development Strategy for Regional NSW 2015

The Economic Development Strategy for Regional NSW (EDS) was developed as a priority action from the NSW Economic Development Framework, to drive economic growth in regional NSW to rebuild and sustain the economy.

The goal of the EDS relevant to this planning proposal is:

- Goal 2 Drive regional employment and regional business growth

Under Goal 2, the priorities are to promote job creation, grow retail trade jobs, support business growth, increase regional skills base and improve aboriginal employment and business outcomes.

The planning proposal is consistent with the priorities of Goal 2 of the EDS as the securing of land for future commercial development will create employment opportunities and increase business and economic activity in the localities of Buronga and Gol Gol.

6. Is the planning proposal consistent with applicable SEPPs?

The State Environmental Planning Policies relevant to this planning proposal are as follows:

State Environmental Planning Policy (SEPP)	Consistency/Inconsistency
SEPP (Biodiversity and Conservation) 2021	Chapter 2 Vegetation in non-rural areas of this SEPP applies to the land zoned RU5 Village and B2 Local Centre/E1 Local Centre zone. The entire area has been previously cleared for either commercial or agricultural purposes. Should there be any remnant native vegetation on any of the allotments, clearing of such for new development will be assessed as part of the development approval process.
SEPP (Industry and Employment) 2021	The planning proposal is consistent with this SEPP. Chapter 3 Advertising and signage of this SEPP applies to the whole state. There is nothing in the planning proposal that contravenes the provisions of Chapter 3 of this SEPP. The planning proposal is consistent with this SEPP.
SEPP (Resilience and Hazards) 2021	Chapter 4 Remediation of land of this SEPP applies to the whole state. One of the allotments included in the subject site is currently used for horticulture, which is an activity listed in Table 1 of the Managing Land Contamination Planning Guidelines. The proposed zone of E1 Local Centre includes sensitives uses such as residential, educational, recreational and childcare purposes as permitted with consent. However, under the current RU5 Village zone, all of these uses are permitted with consent as well, without the necessity to undertake an initial evaluation report for development in that zone. Therefore, it has been the determined that an initial evaluation report for that allotment should be prepared only when it is proposed to be developed. For example at the development application stage, dependent upon the use to be applied to the site. The planning proposal is consistent with this SEPP.
SEPP (Transport and Infrastructure) 2021	Chapter 2 Infrastructure of this SEPP applies to the whole state. WSC is the service provider for water, sewer and stormwater infrastructure. The proposal has been discussed internally and

Table 3 Consistency with State Environmental Planning Policies

will be investigated as part of the Integrated Water Management
Plan currently being prepared for Council.
Pre-lodgement consultation with Transport for NSW and Origin
Energy has been conducted with both agencies providing advice
and details. This is outlined in Section E below.
The planning proposal is consistent with this SEPP.

7. Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?

Consistency with relevant S9.1 Ministerial Directions are assessed in the table below:

S9.1 Direction	Application	Relevance to the planning	Consistency
		proposal	
1.1 Implementation of Regional Plans	This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning.	 Planning proposals must be consistent with a Regional Plan released by the Minister for Planning. As outlined in Part 3 Section B 3, the planning proposal is consistent with the Far West Regional Plan 2036. 	Consistent
1.3 Approval and Referral Requirements	This direction applies to all relevant planning authorities when preparing a planning proposal.	This planning proposal: a. Does not introduce provisions that require the concurrence, consultation or referral of applications to a Minister or public authority b. As per a. above c. Does not identify development as designated development	Consistent
3.1 Conservation zones	This direction applies to all relevant planning authorities when preparing a planning proposal.	The planning proposal does not include any sites that are environmentally sensitive. Land to the south east of the site that is zoned C3 Environmental Management will not be impacted by the proposed development facilitated by this planning proposal. The majority of this area is nominated for redevelopment for public recreation purposes in the Buronga Gol Gol Structure Plan.	Consistent

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3.2 Heritage Conservation	This direction applies to all relevant planning authorities when preparing a planning proposal.	There are no known items of heritage significance on the subject land.	Consistent
3.5 Recreation Vehicle Areas	This direction applies to all relevant planning authorities when preparing a planning proposal.	The planning proposal does not enable the subject land to be developed for the purpose of recreation vehicle use.	Consistent
4.4 Remediation of Contaminated Land	This direction applies when a planning proposal authority prepares a planning proposal that applies to: (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out.	One allotment within the subject land is currently being used for horticultural purposes, a use listed in Table 1 of the contaminated land planning guidelines. The land use table for E1 Local Centre zone enables land to be developed for the purposes of a child care centre, residential and public uses. Under the current RU5 Village zone, all of these uses are permitted with consent as well, without the necessity to undertake an initial evaluation report for development in that zone. Therefore, it has been the determined that an initial evaluation report for that allotment should be prepared only when it is proposed to be developed. For example at the development application stage, dependent upon the use to be applied to the site.	Consistent
5.1 Integrating Land Use and Transport	This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	The Buronga Gol Gol Structure Plan carefully considered and analysed the current layout of residential development, future development and shared pathways when determining the location for a commercial precinct. The Structure Plan and this planning proposal, together, will improve access from existing and future residential development to jobs, retail/commercial services and public transport. Council has consulted with Transport for NSW, both during	Consistent

		the development and exhibition stages of the Structure Plan, to	
		ensure that the proposal for a commercial precinct was supported.	
5.2 Reserving Land for Public Purposes	This direction applies to all relevant planning authorities when preparing a planning proposal.	The planning proposal does not seek to rezone or remove land that is currently used or reserved for public purposes.	Consistent
6.2 Caravan Parks and Manufactured Home Estates	This direction applies to all relevant planning authorities when preparing a planning proposal.	The current B2 Local Centre zone permits the development of a caravan park with consent. However, the translation of B2 to E1 Local Centre at the end of 2022 will result in caravan parks in the E1 zone being prohibited. The majority of the Buronga and Gol Gol area is zoned RU5 Village zone, which permits the use of land for a caravan park with consent.	Consistent
7.1 Business and Industrial Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).	 The planning proposal will: a) encourage employment growth in a centralised precinct, b) protect the rezoned land for commercial purposes and development c) ensure the ongoing viability and sustainability of the identified commercial precinct. The planning proposal will: not reduce the area of the existing industrial zone in Buronga not reduce the potential floor space area for employment uses and related public services not reduce the total potential floor space area for industrial use in the existing industrial zone the proposed new employment zone is in accordance with the Buronga Gol Gol 	Consistent

approved by DPE.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal? The subject site does not contain any native vegetation, critical habitat or threatened species, populations or ecological communities.

A review of the of the subject site on the NSW Biodiversity Values Map and the Transitional Native Vegetation Regulatory Map, shows no likelihood of any issues raised in this section.

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

There are no known likely environmental effects as a result of this planning proposal.

10. Has the planning proposal adequately addressed any social and economic effects? The planning proposal will provide certainty for both Council, landholders and developers when applications are lodged with Council for consideration of new development on the subject land.

Securing this land specifically for commercial purposes, will centralise business activity between the villages of Buronga and Gol Gol, which in effect will consolidate the two villages. In the past, commercial development has established sporadically, which has resulted in the lack of a commercial centre in Buronga and Gol Gol.

It will also incentivise new development that will create ongoing employment for the local community and reduce the necessity for travel to Mildura to access retail and business services.

The subject site was identified in Buronga Gol Gol Structure Plan due to its central location, high visibility and ease of access for residents by vehicle, cycling and walking. One of the goals of the Structure Plan is to ensure that connectivity, not just by road, but by a network of shared pathways, is established to the central, commercial precinct. The attraction to the subject site is augmented by the existing Carramar Drive recreation precinct, south of the Sturt Highway, which has been recommended by the Structure Plan to be extended over Carramar Drive with an additional sport oval and associated buildings.

SECTION D - INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

11. Is there adequate public infrastructure for the planning proposal?

To address and ensure adequate servicing of the growing population of Buronga Gol Gol, the Buronga Gol Gol Structure Plan recommended that Council undertake a Strategic Water Supply Master Plan, Sewerage Infrastructure Master Plan and Integrated Water Cycle Management Plan. Council, together with consultants, have commenced work on the Integrated Water Management Plan. This holistic plan will address and plan for water, sewer and stormwater services and infrastructure over the entire study area of the Buronga Gol Gol Structure Plan, including the proposed commercial development precinct. It is anticipated that this plan will be completed by the end of 2022, prior to the proposed rezoning of the subject site.

SECTION E - STATE AND COMMONWEALTH INTERESTS

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

During exhibition of the Buronga Gol Gol Structure Plan consultation with the following agencies was conducted:

Agency	Response
Transport for NSW	An extensive submission was received that focused on the
	interaction of proposed development and treatments on the
	Sturt and Silver City Highways and their potential impact on the
	efficiency and safety of the classified road network.
DPIE - BCD	An extensive submission was received that provided advice on
	aboriginal cultural heritage, biodiversity, native vegetation
	clearing, natural hazards and climate change.
DPIE - Crown Lands	An extensive submission advised that any additional
	redevelopment work on recreational and reserve land may
	require departmental consent, licences or land acquisition.
Environmental	An extensive submission advised that buffer zones are a very
Protection Agency	important component of the planning process to protect
	sensitive land uses from amenity impacts from agricultural and
	industrial uses.
Water NSW	No response
DPIE Water, Fishing,	No response
Agriculture	
NSW RFS, Fire &	No response
Rescue, Ambulance,	Discussion has commenced with regards to the proposed
Police	Emergency Services Precinct.
NSW Department of	No response
Education	Discussion has commenced with regards to the proposed
	consolidated education facility.
NSW Health	No response

Table 5 Agency submissions to BGGSP

Consultation with Transport for NSW will be necessary for this planning proposal as the subject site abuts the Sturt Highway.

PART 4 – MAPS

A request for final LEP mapping will be made to the mapping team in the Department of Planning and Environment, once it is assured that the amendment will be finalised.



Figure 6 Existing versus proposed zoning

PART 5 – COMMUNITY CONSULTATION

Public exhibition will be conducted for a period of 28 days in accordance with Section 3.34(2)(c) and Schedule 1 Clause 4 of the Environmental Planning & Assessment Act 1979 and as required by the Gateway Determination.

Notification of the planning proposal during the exhibition period will include:

- the Wentworth Shire Council website
- the Planning Portal
- the public notices section of the local daily newspaper
- written advice to affected landowners

PART 6 – PROJECT TIMELINE

It is proposed to seek a Council Resolution at the Ordinary Meeting held in April 2023, with notification of the LEP amendment on the legislative website by end of December 2023 and finalisation by January 2024. This determine the overall project timeframe as being ten (10) months in duration.

Table 6 Project Timeline

STAGE	TIMEFRAME
Consideration by Council	April 2023
Council decision	April 2023
Gateway determination	May 2023
Pre-exhibition	July 2023
Commencement and completion of exhibition	Mid-August 2023 to Mid-September 2023
Consideration of submissions	October 2023
Resolution for finalisation	November 2023
Gazettal of LEP amendment	December 2023
Finalisation by Council or DPE	January 2024