



**GrandJunction**

9<sup>th</sup> January 2020

Mr Marcus Ray  
Deputy Secretary  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Lift and peel  
Sender to keep  
605 42360694 090

**Re: NORTHBANK ON MURRAY PLANNING PROPOSAL – WENTWORTH SHIRE  
PP\_2018\_WENTW\_001\_00/IRF18/1565**

We, together with our co-owners, Des and Joyce Lush, are the proponents of the Northbank on Murray Planning Proposal at Gol Gol in Wentworth Shire NSW. This Planning Proposal was unanimously approved by Wentworth Shire at its Council Meeting on 17 May 2017.

We have previously submitted there were numerous errors in the purported Gateway Assessments of firstly Western Region Planning and then Northern Region Planning.

In our 2018 letter requesting the Planning Proposal be re-assessed we stated:

*“We do not believe we can be accorded procedural fairness without reconsideration of the Planning Proposal, a reasonable period being provided to respond to a revised Planning Report and the opportunity to present to the determining officer in the DoP or JRPP”.*

In a meeting with me and Mr Steve Murray (formerly Acting Deputy Secretary) you as Acting Secretary agreed the Planning Proposal would be assessed again and the review rights would remain. Mr Murray communicated this decision and sent the attached email advising:

*“As agreed by the Acting Secretary we will arrange for the Chief Planner to undertake an internal review of the assessment and the proposal and provide advice”.*

In both our meeting with you, the email and our subsequent discussions with the Chief Planner it was implied, suggested and/or promised that any “re-assessment” or “internal review” would be:

- a thorough consideration of all issues associated with considering the Gateway Assessment;
- be in effect a fresh assessment report on the Gateway for decision by a fresh decision maker;
- be conducted in accord with proper process for making administrative decisions;
- be conducted in accord with the Department’s Code of Conduct;
- allow a reasonable period to respond to the revised Planning Report;
- allow the opportunity to present to the report writer on all issues; and



- be provided to the Secretary or Deputy Secretary for consideration and determination by them (*"provide advice"*)

I attach the undated letter from Mr Gary White containing the purported Determination on the Northbank Planning Proposal. This was received by email on 3 December 2019 shortly before Mr White left the Department. No supporting documents such as a Gateway Determination Report were provided or have been recorded on the Department of Planning LEP Tracking website. Mr White has not responded to any communication or request for a copy of the Gateway Determination Report since the date of this letter even though his email of 3 December 2019 invited discussion.

We have concerns with the process behind the undated letter/purported Gateway Determination. We believe these concerns are very serious and the Department of Planning (DPE) should address these concerns and reconsider the matter. Without consideration of all information provided by the proponents we fail to see how Grand Junction and Des and Joyce Lush have been accorded procedural fairness.

We remain of the view Mr Gary White did not undertake a proper reassessment or internal review of the Planning Proposal for reasons including:

- No Gateway Determination Report and wrong decision maker – it was stated Mr White would *"provide advice"* not that he would be the decision maker. Normal Department practice is for a Report to be written which is used as the basis for the decision. Indeed Mr Pfeiffer of Western Region in his email of 9 January 2020 stated that for a Gateway review *"the Department would arrange for an independent to write the report for the IPC/JRPP"*. In this case there was absence of a Report and Mr White exceeded his authority by purportedly making the decision rather than reporting to the decision maker (Dep Sec or Sec).
- Mr White's letter states not enough information has been provided but:
  - There is no detail as to what information is missing
  - Mr White has repeatedly rejected my offers to go through detail including when I have had all the supporting papers in his office
  - Mr White has repeatedly suggested he would meet me to discuss the detailed issues when his consideration of strategic issues was complete but he refused to do this
- Mr White has never requested more detailed information from me in his approx. one and a half year consideration of this matter
- Mr White has not replied to detailed information supplied by email to him (attached)
- The Gateway process provides clear pathways for additional information to be sought.

In addition Mr White involved the Western Region office of Department of Planning even though it had conducted a defective assessment of the Planning Proposal in



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2018. Mr Wayne Garnsey of Western Region inspected Northbank with Mr White when he undertook his initial inspection. In discussions in the period since Mr White's letter, Mr Pfeiffer has justified Mr White's purported refusal letter based upon reasons given by Western Region Planning in 2018. It is not appropriate for Western Region to be providing reasons to make up for the shortcomings in Mr White's reassessment or internal review, particularly based on their earlier considerations in 2018. The basis of Mr White's involvement was to be a fresh reporter/decision maker and consider all facts, which did not happen. There can be a reasonable apprehension of bias against the Planning Proposal by the Western Region office given we have pointed out the numerous errors in their earlier assessment of the Planning Proposal. Western Region cannot be involved in the re-assessment/review of their own work.

### DPE'S OBLIGATIONS IN RELATION TO PROCESS

We submit DPE must act in accord with the principles of procedural fairness in addition to complying with the DPE's Code of Conduct. DPE should also act consistently with the NSW 2021 Plan and DPE's own Strategic Planning Strategies including the Far Western Region Plan – Implementation Plan.

#### A. PROCEDURAL FAIRNESS

In "Good Conduct and Administrative Practice – Guidelines for State and Local Government (2nd Edition)" NSW Ombudsman sets out guidance to public officials in relation to expected standards of conduct. ([https://www.ombo.nsw.gov.au/\\_data/assets/pdf\\_file/0016/3634/Good-Conduct-2nd-edition-amended.pdf](https://www.ombo.nsw.gov.au/_data/assets/pdf_file/0016/3634/Good-Conduct-2nd-edition-amended.pdf))

These Guidelines includes 4.6 "Correcting mistakes", 4.8 "Providing redress for maladministration" and 5.4 "Providing procedural fairness". In particular 5.4.2 states decisions must be made "acting only on the basis of logically probative evidence". This is a fundamental rule of procedural fairness articulated in by the High Court in ABC V Bond (1990).

We submit that the Gateway Determination has not been made based on logically probative evidence. "Absent probative evidence, the decision fails to meet the test of reasonableness, logicity and rationality" (Para 52-080 Development and Planning Law in NSW, John Whitehouse).

Indeed, while It is not clear that Mr White's letter was based on any evidence, it is very clear there was omission of essential information. It is clear Mr White's letter failed to consider information provided by the proponent. For example the proponent provided Mr White with numerous emails providing updated information (attached) including in particular the listing of Northbank as a priority project in the Destination Management Plan and Regional Economic Development Strategy.

Mr White's letter vaguely states "*the Planning Proposal in its current form does not contain enough information to identify relevant environmental, social, economic and other site considerations*". This does not detail any specific information that should



be included in the Planning Proposal and omits that the proponent proposed to provide extensive supporting reports if required including:

- Economic Assessment
- Biodiversity Assessment
- Aboriginal Cultural Heritage Assessment
- Servicing/Infrastructure Strategy

No discussion of this matter took place with Mr White and there is no evidence he considered these issues. Mr White has also overlooked detailed analysis by the proponent of the SEPPs and Section 9.1 Directions.

An example of issues not addressed by Mr White relates to koalas. The Northern Region Gateway Determination Report stated there was inconsistency with SEPP 44 Koala Habitat while the proponent had detailed in its 6 November 2017 letter that there are no records of koala sightings on the property or in Wentworth Shire and stated a Biodiversity Assessment could incorporate confirming that there are no koalas in this location. Mr White did not address this issue and it is unclear if this is one of the reasons for his purported rejection of the Planning Proposal.

We believe that we should be accorded redress in accord with Cl 4.6 "Good Conduct and Administrative Practice – Guidelines for State and Local Government (2nd Edition)" NSW Ombudsman.

## **B. DEPARTMENT'S CODE OF CONDUCT**

Clause 4.2 of the Department's Code of Conduct requires the Department to "treat members of the public and our colleagues fairly and consistently, in a non-discriminatory manner with proper regard for their rights and obligations".

A fundamental point we are making is that the Gateway Determination is in no way consistent with other Planning Proposals endorsed by the DoP, whether that is in Wentworth or Statewide. DoP prepares a Gateway Determination Report for all Planning Proposals wherein it analyses and summaries the relevant planning issues. In this case Mr White has not prepared a Gateway Determination Report at all or even conducted a detailed consideration of the earlier defective Gateway Determination Reports by Western Region and Northern Region.

We request that our Planning Proposal be assessed by consistent standards and framework to other Statewide and Wentworth Planning Proposals. We have previously established that the earlier Western Region and Northern Region Gateway Assessment Reports were severely compromised by significant errors. We submit that the Gateway must be determined based upon a fresh independent Gateway Report, which provides a reasonable and balanced consideration of the Planning Proposal.

## **C. CONSISTENCY WITH NSW GOVERNMENT STRATEGIC PLANNING POLICIES**

In relation to strategic planning Mr White's letter is so vague as to be meaningless and omits key considerations. It is inconsistent with or fails to consider DPE's



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Strategic Planning Policies and NSW Government Strategies and hovers above the inconvenient specific statements in these strategies.

### **Promise to draft LSPS to consider strategic context of Northbank**

Mr White's letter of 28 November 2018 stated *"a strategic analysis of Wentworth Shire is required and would consider the role of a large site such as that identified in your planning proposal"*. Mr White's undated recent letter also talks vaguely of draft LSPS [prepared by Mr White] providing *"the opportunity for consideration of a range of tourist uses providing sufficient information has been provided"*.

Both Statements omit that Northbank is supported by the Draft Local Strategic Planning Statement in a number of ways:

Priority 1 (e) "Facilitate the development of new, innovative and compatible non-agricultural land uses and development, particularly tourism development, on or near productive agricultural land subject to not compromising the primary productive use of land for agriculture"

Priority 2 (b) "Consider ecotourism as a land use to manage conflicts between horticulture activities and existing rural residential areas in Buronga"

Priority 2 (e) "Support tourism developments along the river that do not impact on the health and amenity of the river"

#### **Sites for further investigation**

"Land to the East of Buronga Gol Gol settlement boundary provides separation between residential development and irrigated horticulture further east. The characteristics of the land (large area of relatively flat and unencumbered land with river frontage) together with the strategic location adjacent to the Buronga and Gol Gol growth area, make it a candidate site for a number of potential uses .....ecotourism and/or tourism uses such as cellar door and/or restaurant....recreation activities such as golf course"

This Draft LSPS is what the Chief Planner of NSW produced in approx. 18 months reviewing the Wentworth Strategic environment specifically to consider Northbank. If this is inadequate strategic support then the Department should take responsibility for completing this work properly.

#### **Tourism**

Mr White's letter states *"expansion of tourism opportunities in the Far West is promoted throughout a number of State, regional and local documents. As tourism opportunities assist in employment and business growth, we encourage you to work with council to strategically address the merits of the proposal"*.

Mr White's letter does not mention:

- The Northbank Planning Proposal has been consistently supported and



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recommended by Council and returned by the Department. It is odd that Council's and the communities strong support for the Planning Proposal has been ignored.

- Northbank has been designated as a Priority Project by Destination NSW (attached).
- Priority 5 of the Department's Far West Regional Plan requires Council's in the period 2017-19 to amend LEPs to be consistent with the Destination Management Plan – this is what Council has done in forwarding the Planning Proposal to the Gateway
- the Draft Wentworth LSPS which he himself drafted states specifically stating the site is suitable for tourism

Mr White's letter makes no reference to the Destination Plan and is inconsistent with it as it discourages regional investment and job creation.

### **EPA Act and NSW 2021 Plan**

Northbank on Murray will support the sustainability and growth of the small community of Gol Gol in far south west NSW. The EPA Act in Object 5(a)(1) talks of *".....cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment"*. Please note the reference to towns and villages, not just cities. It is our view that the Department has inadequately considered the social and economic welfare of the community in the case of Northbank on Murray.

The NSW 2021 Plan has as Goal 3 "DRIVE ECONOMIC GROWTH IN REGIONAL NSW". Further it states "Our strategy is to encourage decentralization – steady and strategic growth in our regions. This will require a focus on regional infrastructure and job creation. Actions to support job growth include....Develop Regional Action Plans which harness business opportunities and address impediments to growth in each region.....Support regional business growth through tailored programs and local facilitation services.....Our strategy to increase the population in regional NSW will support balanced population growth across the State, invigorating regional economies and relieving congestion pressures within Sydney".

Mr White's letter makes no reference to the NSW 2021 Plan and is inconsistent with it as it discourages regional investment and job creation.

### **Far West Plan and earlier Draft Murray Regional Strategy**

In May 2017 the NSW Planning Minister released the Far West Regional Plan:

- Minister Roberts introductory letter states, "Significant opportunities exist for tourism, taking advantage of unique 'outback' experiences, dynamic communities, as well as European and Aboriginal culture".
- Direction 5: Promote tourism opportunities states "The region appeals to domestic and international visitors as it offers an authentic outback experience.....Tourism opportunities that help to extend the time visitors



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spend in the region need to be further explored.....Tourism generates employment and business growth that contributes to better economic outcomes for Aboriginal communities.

- Action 5.6 states “Investigate development of a tourism trail between Balranald, Wentworth, Mallee Cliffs [where Northbank is located], Mungo and Yanga floodplains”
- Action 5.8 states, “Align local land use and tourism strategies with the relevant Destination Management Plan [here the Murray Region Tourism Destination Management Plan and Northbank is in this Plan as a Priority Project]”.
- Action 5.9 states “Identify opportunities for tourism and associated land uses in local plans”
- Action 21.6 states, “Consider cross-border land use, infrastructure and tourism strategies when planning for the region.”
- The Local Government Narrative for “The region’s south – the meeting point of the Murray and Darling rivers” states priorities are “Promote tourism opportunities.....Foster strong cross-border networks and connections with neighbouring Victorian settlements, including Mildura.....Expand tourism activities and visitor experiences.....Expand tourism opportunities and experiences”

Page 11 and 12 of the Planning Proposal discusses consistency with the Murray Region Tourism Destination Management Plan and other Mildura Tourism Strategies. However the Mr White does not consider the Destination Management Plan notwithstanding that Action 5.8 of the Far West Draft Plan requires this and the Far West Implementation Plan 2017-19 lists Action 5.8 as an “Immediate” priority with Partner responsibility by DPE. Action 5.9 is also identified as a Short Term priority but it is almost impossible that this Action can be met in DPE’s nominated timeline. Given we are in 2020 already the Action will not be met unless the Northbank Planning Proposal is supported.

The Draft Murray Regional Strategy of October 2009 discussed tourism in more detail than the Far West Regional Plan does. It stated on page 33 “Continued growth in tourism is strongly supported as a way to build the economic strength of the Murray.....Tourism will strengthen the economic vitality of the Region. It will build on the environmental assets and the social and cultural identity of the Region. Tourism will be sustainable and not deplete or degrade the environment of the Murray.....Tourist development in the Region will help to make towns and villages more sustainable.....Where possible, sites identified for new large scale tourist related development will be in or adjacent to existing settlements”.

### **CONCLUSION AND REQUEST FOR RE-ASSESSMENT BY WESTERN JRPP**

We submit the Gateway Determination should be considered again by Western JRPP for the Gateway Stage. This is not a review request as the initial decision has not yet been made in accord with proper procedure. We do not believe we can be accorded procedural fairness without reconsideration of the Planning Proposal, a reasonable period being provided to respond to a revised Planning Report and the opportunity



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to present to the JRPP.

We are requesting that you as the Deputy – Secretary or if not you, the Secretary, allow for the Gateway to be re-assessed.

If that re-assessment request is refused we intend to appeal that refusal to the Land & Environment Court or other appropriate Courts to seek a re-assessment. In the event that a reassessment request is refused and a Court rules we are not entitled to a reassessment then we wish to avail ourself of the formal review process outlined by Mr Pfeiffer. As a matter of proper administrative practice we cannot request the review until it is confirmed that there will be no reassessment. I'm sure you will agree this is for the Deputy Secretary/Secretary/Court to decide rather than Mr Pfeiffer of Western Region.

The Planning Proposal is yet to be properly assessed for the first time even though it has been with the Department since mid 2017. We have paid the Planning Proposal fee and spent tens of thousands preparing the Planning Proposal let alone time spent. We are entitled to receive a proper assessment and only to be required to use any right of review after a proper assessment.

I seek the opportunity to meet you at the earliest convenient time to discuss this matter.

Kind regards

Yours sincerely

**Bob Wheeldon**

**Director**



**Subject:** Northbank on the Murray

**Date:** Thursday, 28 June 2018 at 4:07:07 pm Australian Eastern Standard Time

**From:** Steve Murray

**To:** bob@wheeldon.com.au

**CC:** Marcus Ray, Damien Pfeiffer, Gary White, Jeremy Gray

Bob

Thank you for your time today to outline your concerns regarding the assessment of the planning proposal for Northbank on the Murray.

As agreed by the Acting Secretary we will arrange for the Chief Planner to undertake an internal review of the assessment and the proposal and provide advice. In taking this approach we agree that the opportunity for a gateway review by the Independent Planning Commission will still be available to you.

We will keep you inform of the progress of the matter.

Regards

Steve

**Steve Murray**

Acting Deputy Secretary

Planning Services

NSW Department of Planning & Environment |

T 02 9274 6396 M 0427 203 468 E [steve.murray@planning.nsw.gov.au](mailto:steve.murray@planning.nsw.gov.au)



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Environment

Mr Bob Wheeldon  
Director  
Grand Junction Pty Ltd

By email: [bob@wheeldon.com.au](mailto:bob@wheeldon.com.au)

28 November 2018

Dear Mr Wheeldon

**Subject: Update on strategic analysis of Wentworth Shire**

I refer to our meeting on 27 September in which we discussed the progress of my independent review of your planning proposal 'Northbank on Murray' and the Department's assessment.

We discussed my decision that a strategic analysis of Wentworth Shire is required and would consider the role of a large site such as that identified in your planning proposal.

This work is under way, including a visit to Wentworth as part of progressing this to finalisation. Following the completion of my strategic analysis I will arrange to meet with you to discuss my findings.

Please contact me on 8217 2017 if you have any queries.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gary White'.

Gary White  
Chief Planner

**Subject:** Northbank Review

**Date:** Tuesday, 3 December 2019 at 4:14:33 pm Australian Eastern Daylight Time

**From:** Gary White

**To:** Bob Wheeldon

Bob

Please see correspondence regarding my decision following the review the of the Gateway determination for the Northbank planning proposal.

Should you have any questions please give me a call.

Regards,  
Gary



IRF19/7302

**Mr Bob Wheeldon  
Director  
Grand Junction Pty**

**By email: bob@wheeldon.com.au**

**Dear Mr Wheeldon**

**Subject: Planning Proposal PP\_2018\_WENTW\_001\_00 to amend Wentworth Local Environmental Plan 2011**

I am writing in response to the review I was asked to undertake for a Gateway determination under Section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land at 6811 Sturt Highway, Mallee (Lot 1 DP 1182353) to facilitate tourism and commercial uses.

As agreed, I have reviewed all documents associated with this matter and I have now determined the planning proposal should not proceed.

The planning proposal in its current form does not contain enough information to identify relevant environmental, social, economic and other site considerations. A planning proposal which is submitted for a Gateway Determination must provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan making process. The level of detail required in a planning proposal should be proportionate to the complexity of the proposed amendment.

Given the significance of change to the Local Environmental Plan (LEP) proposed, it is a logical conclusion that your proposal should be supported by strategic assessment and studies to demonstrate the suitability of proposed uses. Further to this positioning, an opportunity has been presented by the draft Local Strategic Planning Statement, which leaves open the opportunity for consideration of a range of tourist uses providing sufficient information has been provided.

I recognise the expansion of tourism opportunities in the Far West is promoted throughout a number of State, regional and local documents. As tourism opportunities assist in employment and business growth, we encourage you to work with council to strategically assess the merits of the proposal.

The opportunity to request a Gateway Review by the Independent Planning Commission is still open, should you wish to pursue the formal Gateway Review process. If you have any questions about this process, please contact Damien Pfeiffer, Director Western Local Planning on 02 5852 6802.

Yours sincerely



**Gary White**  
**Chief Planner**



**Grand Junction**

29<sup>th</sup> June 2018

Mr Gary White  
Chief Planner  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr White

**Re: NORTHBANK ON MURRAY PLANNING PROPOSAL – WENTWORTH SHIRE  
PP\_2018\_WENTW\_001\_00/IRF18/1565**

On 28 June 2018 the Acting Director Regions advised that he would arrange for you to conduct an internal review of the Northbank Planning Proposal. This is pragmatic given your previously planned visit to Wentworth on 7<sup>th</sup> and 8<sup>th</sup> August 2018.

I had previously planned to meet you to raise systemic planning issues that relate to Wentworth Shire rather than any personal planning issues impacting my farms. Given the decision of the Acting Director Regions I will focus our meeting more particularly on the Northbank Planning Proposal but believe it represents a useful case study relating to many of the systemic issues.

It will take some time to physically inspect the site, nearby sites, Buronga Gol Gol and Mildura for context. In order that time in Wentworth for physical inspections is maximised for you I wish to suggest a separate meeting for a couple of hours be held in Sydney at your convenience to:

1. present/discuss the Planning Proposal, documentation and plans. Many planning issues are at issue and a proper discussion of the papers will take more than a few hours.
2. meet with Destination NSW Riverina Murray, also located in Sydney. They have a good knowledge of tourism in Wentworth area and the Far West Plan requires consistency with the Destination Management Plan (DMP). Northbank is a priority project of that DMP.
3. meet with Crystal Lagoons, also located in Sydney. Crystal Lagoons create large swim lagoons and we propose one of these lagoons be a primary feature of Northbank.

This could take place before (preferable) or after the 8<sup>th</sup> August at your convenience. Please advise if this is possible by return email.

In considering the document I'd like to state again that:

- we are seeking a Gateway Determination at this Stage rather than final consent for a Planning Proposal / LEP amendment
- the Planning Proposal is consistent with the Far West Plan's Direction to promote tourism that is consistent with the DMP. Any inconsistencies are

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PO Box 448 Wentworth NSW 2648  
Email [Kathryn@grandjunction.com.au](mailto:Kathryn@grandjunction.com.au) T 03 5027 2461



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minor.

- we need to establish the Planning Proposal is consistent (or of minor inconsistency) with SEPPs and Far West Plan before final consent to Planning Proposal but at Gateway Determination we just need to identify the issues that require further investigation as conditions to the Gateway
- We have agreed that a number of studies will be required post-Gateway Determination in order to support possible final consent including:
  - Economic Assessment
  - Biodiversity Assessment
  - Aboriginal Cultural Heritage Assessment
  - Servicing/Infrastructure Strategy

Kind regards

Yours sincerely

**Bob Wheeldon**

**Director**

**Subject:** Consistency of Northbank with new Western Murray Economic Development Strategy 2018-2022

**Date:** Wednesday, 31 July 2019 at 10:10:25 am Australian Eastern Standard Time

**From:** Bob Wheeldon

**To:** Gary White

<https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/REDS/508d3c57dd/Western-Murray-REDS.pdf>

Gary

As per the link and attachment we believe the "Wentworth Eco-Resort" listed on page 17 of the Western Murray Economic Development Strategy 2018-2022 is indeed Northbank.

Given Northbank now has strategic support of Destination NSW and Department of Premier and Cabinet we request that you positively consider the Gateway Approval for Northbank. The Northbank Planning Proposal was submitted over two years ago and there is no justification for further delays in consideration of the Gateway Approval.

It could be that the Gateway Approval is granted ""subject to consistency with the Wentowth Local Strategic Planning Statement".

Best  
Bob Wheeldon  
Grand Junction  
0411 222181



# STRATEGY CONTINUED

## 2 | Enhance and diversify the economy by leveraging growth opportunities in Tourism

Tourism is focused on the Region's rivers, arid landscape, flat topography and historical towns. The Region offers visitors rich experiences in river-based activities, food and wine, fishing, festivals, history and heritage, nature-based and business travel. Destination Riverina Murray and the cross-border Murray Regional Tourism have developed complementary destination management plans that provide a strong foundation for growth.

### Infrastructure Priorities

**Upgrade regional infrastructure to enhance regional profile and visitor access:** Analysis of the Region's natural and human endowments, together with stakeholder consultation, identified key infrastructure projects that would help to establish the Region as a key tourist destination. These include:

- development of the Murray River Adventure Trail
- expansion of the Swan Hill Regional Art Gallery & Indigenous experience
- upgrade of Arumpo Road to ensure all weather access to Mungo National Park
- development of the Wentworth Riverfront and Eco-Resort
- development of the Mildura Motor Sports Precinct
- development of the Hay Riverfront
- development of the Shearers Hall of Fame
- development of the Hay Public Art
- development of the Nimmie Cairn area

### Organisational Priorities

**Position the Region as the 'Gateway to the Outback':** The Baranald and Wentworth LGAs are well positioned to act as a gateway to Aboriginal, heritage, and nature-based tourism opportunities of inland NSW and the Northern Territory. Continued collaboration and coordination between councils and business will be required.

**Support cross-border collaboration:** The current cross-border strategies between Mildura and Wentworth, and Swan Hill and Baranald should be supported and expanded to ensure that visitors to the Region experience the attractions available on both sides of the Murray River. This Strategy represents an opportunity to expand collaboration to provide a truly regional experience.

**Support the development of new visitor experiences:** Tourism opportunities that help extend the time visitors spend in the Region need to be further explored. Examples of developments include:

- a Murray Adventure Trail, a multiday trail along the river that includes driving kayaking and cycling
- use of the Region's Aerodromes to facilitate tourism
- river cruising experiences, including multiday journey routes
- regional food and drink experiences
- local events, festivals, and conferences

### Strategy Outcome

**Capitalise on the natural and human endowments to promote the Region as a key tourism destination**

### Intermediate Outcome

- Improved branding of the Region
- Improved availability of accommodation, services and experiential offerings
- Greater number of day and overnight visitors to the Region

### Outputs

- Increased access to, and profile of, the Region's attractions
- Recognition of the Region as the 'Gateway to the Outback'
- Increased collaboration between businesses and councils on either side of the state border
- A wider variety of visitor experiences

### Activities

- Upgrade regional infrastructure to enhance profile and access
- Position the Region as the 'Gateway to the Outback'
- Support cross-border collaboration on tourism projects and development
- Support the development of new visitor experiences

### Inputs

- Resource funding for infrastructure upgrades
- Improve coordination between local councils and businesses

**Subject:** Northbank as Destination NSW Priority Project  
**Date:** Friday, 3 August 2018 at 3:55:04 pm Australian Eastern Standard Time  
**From:** Bob Wheeldon  
**To:** Gary White

Gary

I attach two emails from:

- **Gabby Brown**  
Regional Tourism Development Manager, Riverina Murray  
Destination NSW ; and
- **Richie Robinson**  
General Manager | Destination Riverina Murray  
0418 439 202 [richie.robinson@destinationrm.com.au](mailto:richie.robinson@destinationrm.com.au)



These emails confirm that the “Wentworth Eco Resort Development” is indeed referring to the Northbank in the Destination Management Plan.

We believe this is a very strong factor to weigh in considering the consistency of the Northbank Planning Proposal with Far West Regional Plan and NSW Planning Policies.

See you next Tuesday.

Best  
Bob

Hi Bob

Thanks for the call earlier this afternoon, great to hear more about your project. To assist with the planning proposal and your discussions with the NSW Dept. of Planning I can confirm the reference within the Riverina Murray Destination Management Plan to the “Wentworth Eco Resort Development” is indeed referring to the Northbank on the Murray development. Northbank is considered a priority project for the region and Destination Riverina Murray are strongly supportive. I am happy to provide a more formal letter of support if/when required.

Thanks, Richie

**Richie Robinson**  
General Manager | Destination Riverina Murray  
0418 439 202 [richie.robinson@destinationrm.com.au](mailto:richie.robinson@destinationrm.com.au)



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**From:** Gabby Brown <[gabby.brown@dsw.com.au](mailto:gabby.brown@dsw.com.au)>  
**Date:** Thursday, 2 August 2018 at 12:00 pm

To: Richie Robinson <[richie.robinson@destinationrm.com.au](mailto:richie.robinson@destinationrm.com.au)>, Mark Francis <[ceo@mrtb.com.au](mailto:ceo@mrtb.com.au)>  
Cc: Bob Wheeldon <[bob@wheeldon.com.au](mailto:bob@wheeldon.com.au)>  
Subject: Northbank Development

Hi Richie, Mark,

This morning I met with Bob Wheeldon (cc'd) to discuss his plans to develop a large scale crystal lagoon and resort in Buronga NSW - see attached documents.

Bob has submitted a rezoning proposal to NSW Department of Planning, which is currently at the first stage of assessment.

Bob is seeking support for the development by way of written confirmation that the 'Wentworth Eco Resort Development' - mentioned in both Plans as a 'Priority Project' - is in fact referring to his Northbank project; he feels this will assist his case with Dept. of Planning by demonstrating the project is strategically sound, aligned to both Destination Management Plans (from a tourism perspective) and also aligned to the objectives outlined in the [Far West Regional Plan](#).

As you are the custodians of these Plans, I thought it best to connect you to continue this conversation.

**Bob** - please see links below for both Destination Management Plans we spoke about this morning.

[Murray Regional Tourism DMP](#) - note Pg 54  
[Riverina Murray DMP](#) - note pg 62

Please reach out with any questions.

Kind regards,

Gabby

**Gabby Brown**

Regional Tourism Development Manager, Riverina Murray  
Destination NSW

E: [gabby.brown@dnsw.com.au](mailto:gabby.brown@dnsw.com.au)

D: 02 9931 1148

M: 0459 873 973

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**Subject:** Wentworth Planning

**Date:** Friday, 28 September 2018 at 5:07:02 pm Australian Eastern Standard Time

**From:** Bob Wheeldon

**To:** Gary White, Sandra Sinclair, Thomas Watt

Gary and Tom

Thanks for meeting me yesterday to discuss Wentworth Planning.

I would love to provide input to your review of Wentworth Planning and am encouraged that you see the potential for Wentworth to share equally in Mildura's growth rather than just being a poor cousin. I am however concerned that previous Department Planning efforts re Wentworth have been very very slow and hope this can change. We would also be keen for Northbank to obtain Gateway Approval even if that was subject to your further strategic review being completed.

Our main emphasis has been tourism development and associated retail/holiday homes for the southern Victorian and South Australian markets of circa 9 million people. There is also significant opportunity for retirement living, agribusiness and renewable energy development in Wentworth.

I attach our Submission to Rural Study in Relation to Tourism Land which was sent to the Shire's Consultant over four years ago. This Rural Study is yet to be completed. Our Submission details three areas in Wentworth which are very well suited to tourism which incorporates public land, third party private owners and land we own. The tourism areas are adjacent to Wentworth, Buronga and Gol Gol townships.

Thanks again for your time.

Best

Bob

Bob Wheeldon  
Grand Junction Pty Ltd  
0411 222181



**GrandJunction**

22 August 2014

Mr David Broyd  
Monteath & Powys  
PO Box 726  
Newcastle NSW 2300

Dear Mr Broyd,

**SUBMISSION TO RURAL STUDY IN RELATION TO TOURISM LAND**

Grand Junction believes Wentworth's tourism industry has seen little new tourism infrastructure (accommodation and attractions) in the past 30 years. While the Wentworth / Mildura area has a significant existing mix of tourism accommodation and attractions these operations are fragmented and often outdated. Given Wentworth Shire still has large parcels of land near to Mildura and Wentworth it has the opportunity to create a number of tourism zones where concentrations of accommodation and attractions are located.

Grand Junction and other landowners including Minto Farm Pty Ltd are eager to invest in long term tourism development in land they own which is well suited for tourist development. Land we manage close to Wentworth, Buronga and Gol Gol should be identified for rezoning to SP3 Tourism or otherwise allow for increased tourism activity in the current RU1 zoning.

There is the opportunity to create Tourism Zones:

- West of Wentworth between the Sand Hills, Murray River, Anabranche and Renmark Road – this area has lovely Murray frontages and a military history
- In Buronga on the land including Minto Farm and all land to the George Chaffey Bridge
- East of Gol Gol on the Woerlong property

Locations of these proposed Tourism Zones are as shown by the attached Maps at Appendix A. These locations are adjacent to townships and existing tourism infrastructure and allow a long term masterplan for tourism infrastructure including accommodation, attractions and events spaces.

Specifically we are proposing the following:

- An integrated Tourism Zone at Woerlong, Gol Gol including:
  - Tourism accommodation of different types and locations
  - Numerous standalone attractions including water park. The intent is to provide a location where over time the fragmented attractions of the district (bowling, putt putt, dodgems, laser skirmish, trampoline centre, etc.) can be in one location for a superior customer experience.
  - Retail area servicing Buronga Gol Gol locals and tourists



**Grand Junction**

- Close to wineries and Gol Gol riverfront
- A camping and caravan park at Minto at Buronga along lines of successful riverfront BIG 4 style parks
- Tourism holiday home style accommodation and larger scale activities at Murray Riverfront at Wentworth – dwelling approvals already exist in this area but would be consolidated to a smaller area and given a tourism focus.

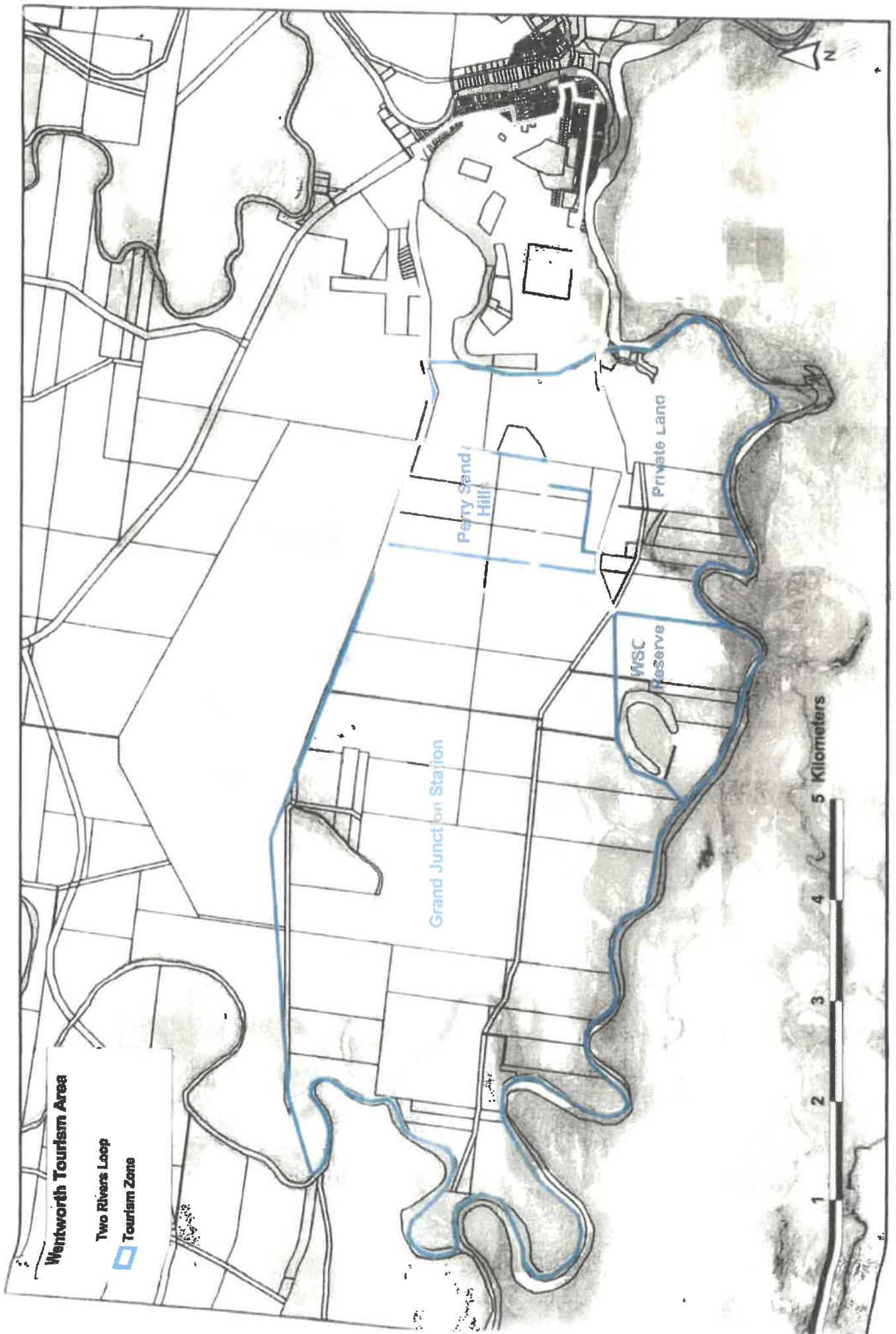
Allowing tourism development in these areas:

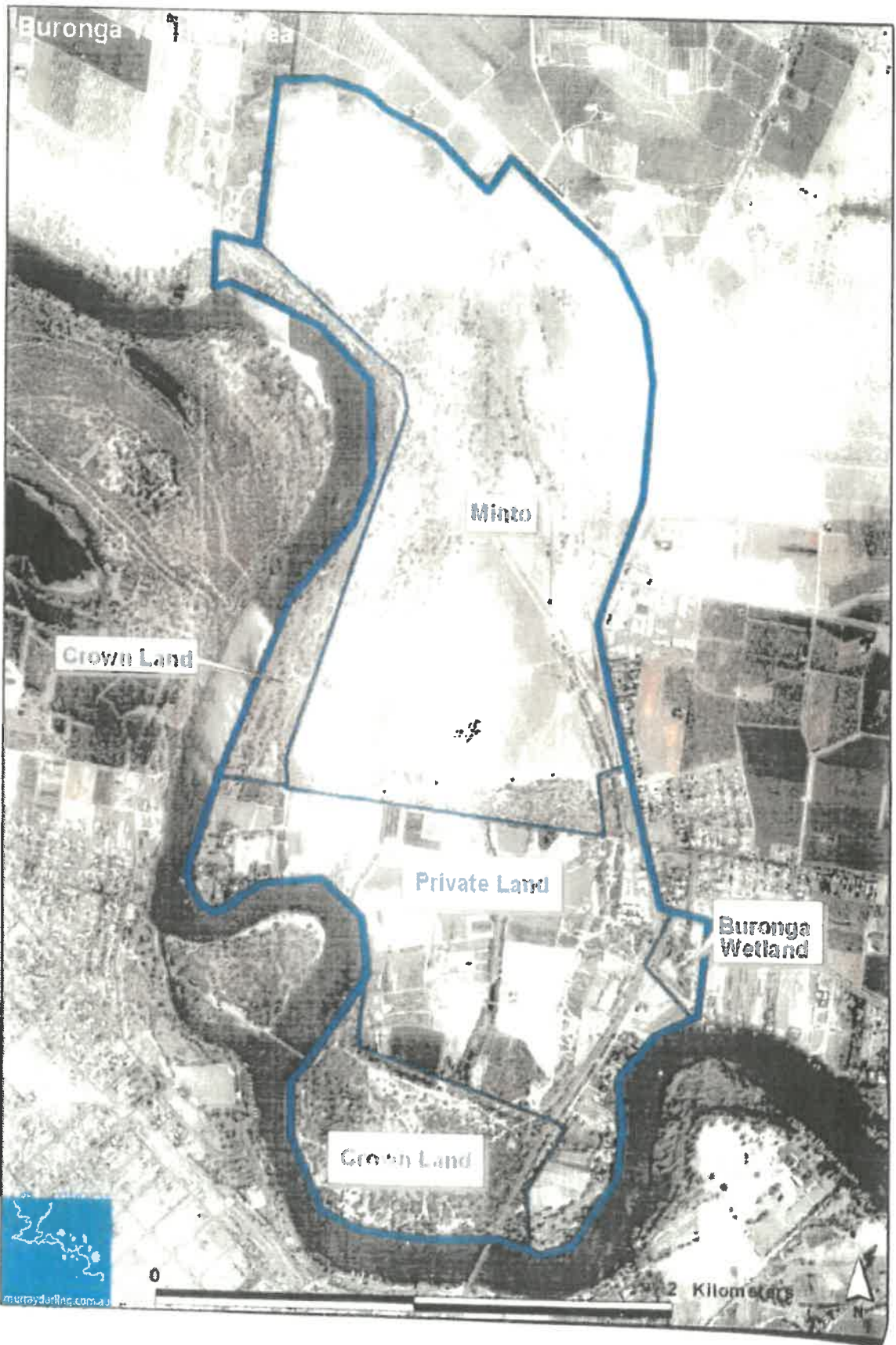
- will not impact agricultural production as these lands are sparsely grazed if at all and they are not of an economic size for large scale agriculture;
- does not impact urban or industrial development as these lands are not zoned for these purposes;
- does not impact other tourism ventures being created in other locations;
- will bring new revenues and jobs to Wentworth Shire; and
- will assist in diversifying the Wentworth economy.

We look forward to showing you these sites and explaining these opportunities in further detail.

Yours sincerely

**Bob Wheeldon**  
Director







# Gol Gol Tourism Area



GOL GOL

Rural Residential

Low Density  
Tourism  
Accommodation

Medium Density  
Tourism  
Accommodation

Town Centre  
Retail

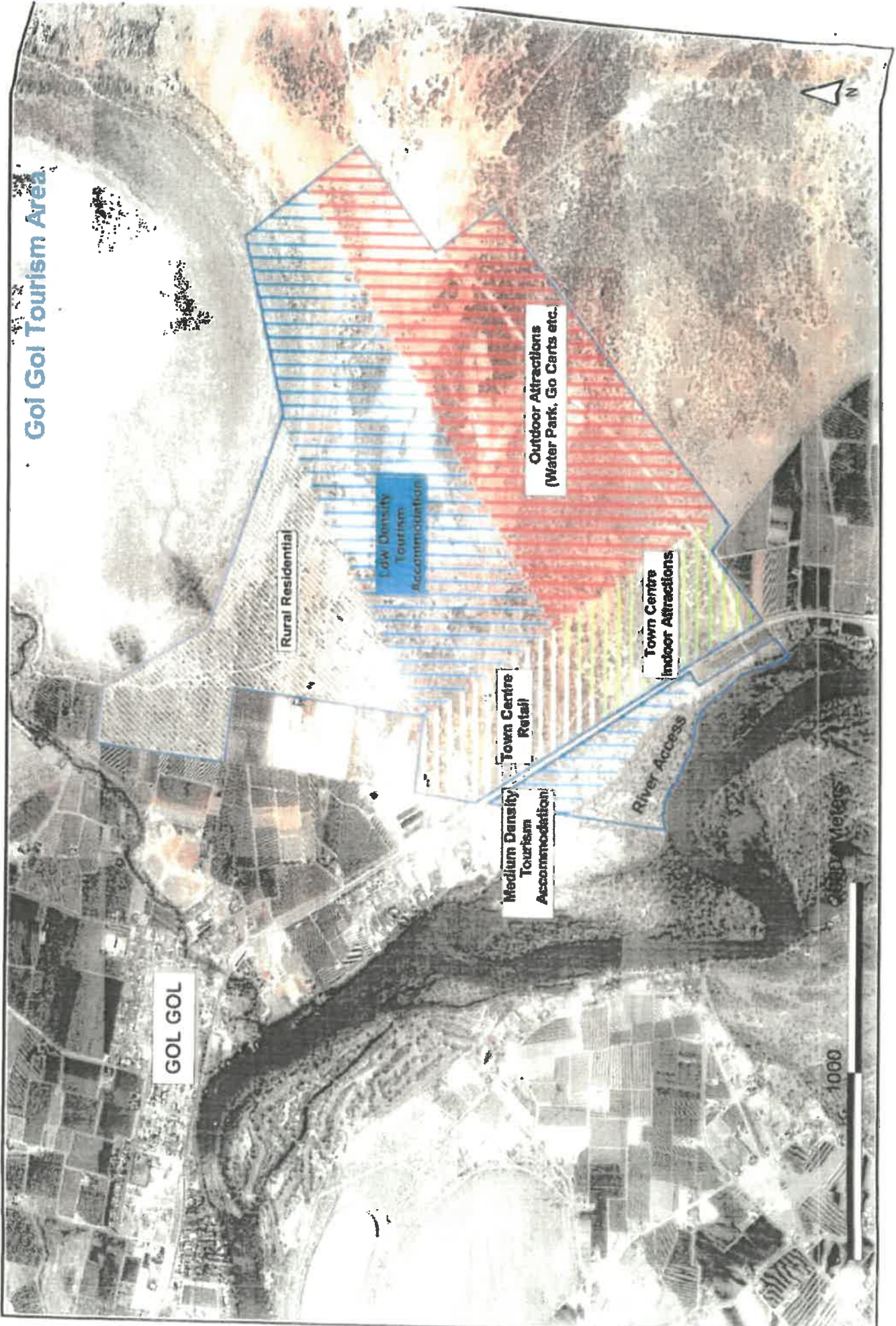
River Access

Town Centre  
Indoor Attractions

Outdoor Attractions  
(Water Park, Go Carts etc.)

0 500 1000  
Meters

1000



**Subject:** Mildura / Wentworth Weather

**Date:** Friday, 25 January 2019 at 11:28:34 am Australian Eastern Daylight Time

**From:** Bob Wheeldon

**To:** Gary White

Gary

As you can see it is very hot in Mildura now as it will be until end of March. Indeed it is almost always great swimming weather in April.

We have the Murray River to swim in but that is not always safe.

What we need is Crsytal Lagoon and I would encourage you to consider the very hot conditions in Wentworth / Mildura when considering what NSW Planning will allow.

Of course there needs to be a means of paying for the capital and maintenance costs of the Lagoon and that is what our Northbank proposal allows.

Kind regards  
Bob Wheeldon  
Grand Junction

## Mildura Forecast

 [View the current warnings for Victoria](#)

Forecast issued at 5 30 am EDT on Friday 25 January 2019

### Forecast for the rest of Friday



Max **47**

Very hot. Windy.

Chance of any rain: **10%** 

Very hot. Sunny morning. Raised dust during this afternoon and evening. Winds northwest to northeasterly 25 to 40 km/h tending northwest to southwesterly 15 to 20 km/h in the early afternoon then tending south to southwesterly 25 to 40 km/h in the evening.

Fire Danger - Extreme

Sun protection recommended from 9:20 am to 5:50 pm, UV Index predicted to reach 13 [Extreme]

### Saturday 26 January



Min **21** Max **38**

Partly cloudy.

Chance of any rain: **10%** 

Partly cloudy. Winds southerly 15 to 25 km/h becoming light in the morning then becoming south to southwesterly 20 to 30 km/h in the early afternoon.

Sun protection recommended from 9:30 am to 6:00 pm, UV Index predicted to reach 13 [Extreme]

### Sunday 27 January



Min **16** Max **28**

Partly cloudy.

Chance of any rain: **20%** 

Partly cloudy. Slight (20%) chance of a shower in the morning and afternoon. Winds southerly 20 to 25 km/h becoming light during the morning.

Sun protection recommended from 9:20 am to 6:00 pm, UV Index predicted to reach 14 [Extreme]

### Monday 28 January



Min **17** Max **37**  
**Mostly sunny.**

**Mostly sunny. Light winds.**

Chance of any rain: **0%** [Progress bar]

Sun protection recommended from 9:30 am to 6:00 pm, UV Index predicted to reach 13 [Extreme]

**Tuesday 29 January**



Min **20** Max **40**  
**Mostly sunny.**

**Mostly sunny. Light winds.**

Chance of any rain: **5%** [Progress bar]

**Wednesday 30 January**



Min **24** Max **38**  
**Partly cloudy.**

**Partly cloudy. Light winds.**

Chance of any rain: **10%** [Progress bar]

**Subject:** Mildura region 'fast approaching' 100,000 residents | Sunraysia Daily  
**Date:** Monday, 4 March 2019 at 1:02:53 pm Australian Eastern Daylight Time  
**From:** Bob Wheeldon  
**To:** Gary White

<https://www.sunrasyiadaily.com.au/story/5933733/mildura-region-fast-approaching-100000-residents/?cs=1889>

Gary

I'd appreciate some feedback on Northbank soon.

As you can see Mildura region is growing and Northbank will provide a tourism/leisure option that compliments the existing townships.

Best  
Bob Wheeldon  
Grand Junction  
0411 222181

**Subject:** FLIGHT CENTRE – \$9.1m funding injection for Wentworth Aerodrome upgrade | Mildura Weekly

**Date:** Thursday, 7 March 2019 at 5:59:45 pm Australian Eastern Daylight Time

**From:** Bob Wheeldon

**To:** Gary White

<https://www.milduraweekly.com.au/flight-centre-9-1m-funding-injection-for-wentworth-aerodrome-upgrade/>

Gary

The NSW Government is supporting tourism by putting \$9million into the Wentworth Airport upgrade.

Surely including SP3 tourism zoning for sites like Northbank is highly consistent with this.

Best

Bob Wheeldon

**Subject:** Updated information

**Date:** Tuesday, 12 March 2019 at 11:59:24 am Australian Eastern Daylight Time

**From:** Bob Wheeldon

**To:** Gary White, Thomas.Watt@planning.nsw.gov.au

Gary and Thomas

Attach an article from Mildura paper re growth of Mildura.

Also FYI the Western LLS have approved clearing of all the Northbank area apart from the areas with Black Box trees which are predominantly located on the riverfront area.

I appreciate advice of status when you can.

Best

Bob

# City dreams taking shape

By Ashlee Falvo

[afalvo@sunraysdaily.com.au](mailto:afalvo@sunraysdaily.com.au)

MILDURA is fast approaching the "magic number" that will turn the town into a fully fledged city.

That's according to Mildura Regional Development chief executive officer Daryl Buckingham following the release of a new Regional Australia Institute (RAI) report that shows more than ever people are choosing to set up life in regional Australia - more than 400,000 in just five years.

Mr Buckingham said anecdotal evidence in Mildura supported this, with 450 new homes per year needing to be built in Mildura "just to break even with population growth".

"We're getting to the point where land is becoming problematic, but council is working on that at the moment - there's a huge

"The challenge that Mildura has is that we're actually fast approaching that number where your economy almost becomes self-supporting and you get more restaurants, cafes and rooftop bars.

"But when governments do the measurements on our population, they say 'oh yeah, Mildura has 58,000' - but because we're a tri-state region, they don't pick up the cross-border stuff."

Mr Buckingham said when the "magic number" was reached, towns became more attractive to city dwellers.

"A lot of our workers live on the New South Wales side and Col Gol and Wentworth are in growth mode," he said.

"Then you've got . Robinvale 80km up the road, and while that town is in the Swan Hill shire, (Mildura) is actually the destination

home for that town - for shopping, visiting and Medicare care.

"So we're getting up to the 90,000 mark now, if you also add in the 10,000 visiting workers we have here at any one time, we're not far off that magic number.

"When you get to that number, you then have a lifestyle that is attractive to city dwellers."

RAI co-chief executive Dr Kim Houghton said now was the time to place regional Australia "into the mix to help solve our city congestion problems".

"Last year, we hit the 25 million mark, which was two decades earlier than predicted," Dr Houghton said.

"Australian residents are showing that they want to live in regional areas, but to see further growth, we need to support communities to improve several factors, including liveability."

## WHAT THE PAPER SAYS

KEY recommendations in the RAI paper include:

- Rebalancing of national and state infrastructure spending to enhance liveability in regional centres
- The need for further analysis of the economic impacts of increasing urbanisation focusing on cities only
- Targeted programs to support economic diversification and jobs in slow growing regional areas
- Improvements in education and training to help workers living in regional areas with high workforce demands
- Removing barriers to secondary migration of international migrants wanting to relocate to regional areas, and funding to support community initiatives to assist with the successful settlement of migrants.



Daryl Buckingham

demand," Mr Buckingham said.

"The most important thing to remember, and this is often lost in the mix, is the magic number for regional towns where they become cities - it's about 100,000 population," he said.



**We've created the Women's Financial Wellbeing Guide to help more women feel financially independent and secure throughout life's important moments.**

It's just the start. Better for you.

**Subject:** Northbank Gateway Application

**Date:** Friday, 19 July 2019 at 1:42:55 pm Australian Eastern Standard Time

**From:** Bob Wheeldon

**To:** Gary White

Gary

Thanks for meeting me with Marcus et al yesterday in relation to regional planning.

You indicated the Wentworth Local Planning Statement Draft is positive on tourism which is pleasing. However, in relation to Northbank we have an active Gateway Application that was referred to you for assessment and we still don't have a clear pathway to resolve that after one year. Council endorsed the Northbank Planning Proposal unanimously over two years ago. Council has always been positive on tourism as per below article.

My understanding is that you looked at the strategic planning of Wentworth partly to see how the Northbank Gateway Application fitted with the Shire's Strategic direction. Council has already supported Northbank obtaining Gateway approval and would need to consider it further if the Gateway Approval was obtained from Department of Planning before any rezoning could occur.

Given Northbank has been in limbo for a long period we need seek the Department assess the Gateway Application before it. The Gateway Application should not have to wait until Wentworth Local Planning Statement is finalised which likely involves many matters unrelated to Northbank.

Can we please meet or have a telephone call to discuss Northbank specifically?

Regards

Bob Wheeldon

Grand Junction

0411 222181

Sam Raynsdale Daily - ndsr, July 19, 2019



**ABOVE:** The Murray River is sure to feature in any campaign promoting Midura  
Picture: Emma Loomes

**LEFT:** Midura Regional Development interim chief Rod Tombridge says it's important to refresh and reinvigorate Midura as a destination  
Picture: Lisa de Borch

# TV tourism push to look at big picture



By Lauren Adcock  
ladcock@arrangeads.com.au

PLANS to showcase Sturtzys through a new national television campaign are being developed in an effort to boost tourism.

The campaign will form part of an extensive marketing mix. Mildura Regional Development (MRD) will employ over the next year to target and entice more visitors to the region.

MRD interim chief executive Rod Trowbridge said it was time to "ramp up" marketing to grow and enhance the Mildura brand.

"We're in the process of developing new TV campaigns that will go to air throughout regional Victoria, South Australia and regional New South Wales," he said.

"Mildura hasn't been showcased on TV campaigns for the past couple of years and we constantly need to present new ways to sell the region."

Mr Trowbridge hoped the campaigns would be aired by the end of the year.

"We need to be out there in the market driving interest to our region," he said.

"The main thing is to combine product

development with top-of-mind awareness. Top-of-mind awareness in the consumer is generated by word of mouth and strategic, targeted marketing."

Earlier in the year, the Victorian Government launched a regional tourism review to find opportunities to better support tourism operators, create more regional jobs and enhance local communities.

Figures revealed in the review's discussion paper this week placed the Murray on regional Victoria's "strongest performers" list, with a 14.7 per cent increase in visitor spending.

The paper showed a surge of domestic day trip and overnight visitors spending time in the Murray region, while the percentage of international visitors plummeted to just 1 per cent.

Mr Trowbridge emphasised the importance of targeting all sectors to visit the region.

"That size of the visitor economy is too important to ignore and that's why it's important in the tourism arena to retreat and re-invigorate the destination and our products within the destination to give people more reasons to visit," he said.

A recent Department of Infrastructure

report ranked Mildura Airport as the 20th busiest regional airport in Australia, a small jump from position 21 the year before.

About 25 per cent of domestic airport users were from Melbourne, according to Mr Trowbridge.

"Having a major regional airport is important on two levels," he said.

"The fact that a regional location has got an airport automatically raises its status in the mind of consumers."

"When that airport is connected to other key areas, that means the tourist who doesn't drive here can get to Mildura very easily because of the airport and services that fly into the airport on a daily basis."

The Regional Tourism Review is inviting feedback from stakeholders to have their say on ways to promote experiences in Sturtzys, with a workshop being held in Mildura on August 1.

Mr Trowbridge welcomed the workshop as a "helpful and constructive" move.

"A number of workshops throughout regional Victoria will take place to discuss the essence of what's planned in the review and to give destinations the opportunity to provide submissions to that review," he said.

**Subject:** Wentworth information

**Date:** Monday, 12 August 2019 at 6:03:51 pm Australian Eastern Standard Time

**From:** Bob Wheeldon

**To:** Gary White

Gary

I attach more information in relation to Wentworth.

The first page shows life expectancy data for Western NSW lagging 6 years behind North Sydney. To my mind this illustrates the urgency of encouraging economically sustainable development in Wentworth and other parts of Western NSW.

I'd love to meet with you soon to discuss Northbank and Wentworth.

Kind regards  
Bob Wheeldon

# AVERAGE LIFE EXPECTANCY BY REGION



## Highest

Northern Sydney	85.9 years
Eastern Melbourne	84.7 years
Central and eastern Sydney	84.2 years
Perth North	83.8 years
Southeastern Melbourne	83.6 years

## Lowest

Northern Territory	77.6 years
Western Queensland	78.8 years
Western NSW	79.9 years
Murrumbidgee	80.7 years
Tasmania	80.8 years

6 years

Source: AIHW, 2015-17 births

# Mildura tipped to grow by 7000



## NEWS 7

A NEW re-imagining project to improve the habitat for native fish is set to start in Red Cliffs on Monday. Mel-Accredit group Oxfish Sunraysia is driving the project.



## Nation 14

POWERS might inspire star Jarryd Hayes, who will stand trial next year on charges of raping a woman in NSW's Hunter Valley, has vowed "justice will be served".

From Page 1

"The report bases its calculations on the 100,000-Mallee region on people that are dying and being replaced by births, which leads to his forecasting, and there's also the migration factor."

Mr Kennedy did not rule out the possibility of Buloke, Glenoxeyres and Swan Hill residents moving to Mildura as part of the population projection.

"Mildura is an attractive city for workers, particularly with seasonal and migration programs, which

could attract residents from other surrounding towns.

Population change is dramatic and should not necessarily be feared, according to Mr Kennedy.

"It's something that can't be squared with a broad-brush picture of rural decline," he said.

"We've got to think about a lot of these smaller settlements, which are also growing their businesses and tourism opportunities as well."

Mildura's population hit 22,520 in June last year, said it now makes an "unrealistic

40th-largest city.

ABS figures showed overseas migration largely contributing to Mildura's population growth, with 462 New Zealanders in comparison to a national increase of 230 people in 2017-18.

A government spokesman said Mildura was "strongly" in population as it served a large hinterland across northern Victoria, NSW and South Australia.

"As such, (Mildura) provides employment opportunities across a range of primary, secondary and tertiary industries," the

spokesman said.

"In demographic terms, it grows through strong natural increase (almost 300 a year) plus it also has a strong migration attraction from other areas."

"The three other local government areas are in a different place demographically and a range of factors can contribute to the growth or decline of populations in these areas, such as structural changes in regional economies, which can reduce the need for labour over time, and can subsequently change the migration trends."



# Daily Matters

with Jason Shields



Gol Gol's football ground at Alcheringa Oval could provide room for expansion.

## Could growing town shift the goalposts?

COUNTRY football competitions have naturally evolved as populations have shifted.

It was only a decade ago that the Bendigo league introduced a club from the new suburb of Strathfeldenye on the outskirts of the city. Strathfeldenye was formed to cater for the young families who had moved into the suburb and the club has quickly grown into a powerhouse of that competition.

In the Geelong league, a new junior club was formed a few years ago in the burgeoning Surf Coast region, with a plan for it to eventually become a senior club.

Other leagues across the state have also been restructured around shifting population bases.

Which brings us to the growing township of Gol Gol.

Large housing developments continue to go up in the beautiful riverbank location, attracting hundreds of young families.

Catering for that growth will require significant forward planning around infrastructure, services, schools and childcare facilities.

And sport can't be ignored in that conversation.

Gol Gol already has one of the larger junior football programs in the region, and those participation numbers will only increase as houses

continue to go up. But what is the pathway for these kids into senior ranks?

Gol Gol is now part of the Mildura Football League which is a minor competition with just one grade of senior football and no junior programs.

From the outside looking in, it doesn't seem the right fit for Gol Gol. Certainly not aymosa.

The town's changing demographic would suggest it is better placed to soon be part of a larger competition, like the Sunraysia Football Netball League.

And, if conversations around this haven't already been happening, maybe it's time they started.

One option that could be explored is merging Gol Gol with an existing Mildura-based club.

It's no secret that some clubs in the Sunraysia league have been struggling for junior numbers, so it may make sense for a Mildura-based club to move across the bridge to a town bursting with young families.

There are three Mildura clubs starting two ovals in the centre of town. They have outgrown that archaic setup and are soliciting each other.

Some of that pressure will be alleviated when a new oval is built at Mildura South, which is the

other major growth area for young families. But that is still a few years away.

In the meantime, a potential move to Gol Gol could be a golden opportunity for an existing SFNL club to explore.

The other option is for Gol Gol to go it alone in the SFNL.

There are question marks around this, of course, starting with whether the Gol Gol club would be able to manage such a step on its own, or whether the region could sustain another SFNL club.

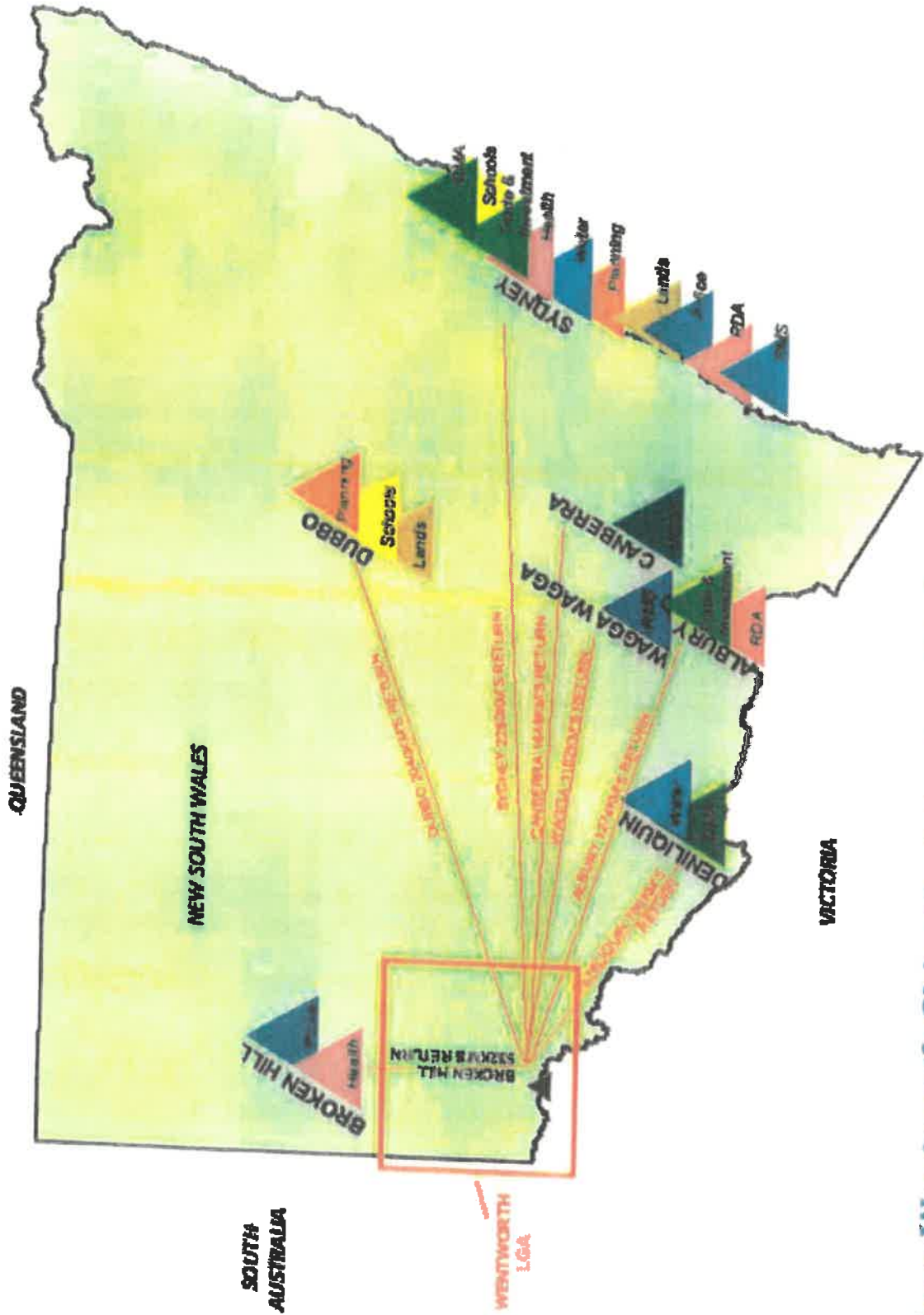
And then, were one club to leave, there is the future of a five-team Mildura competition to consider.

Football and netball clubs are emotional places, so change is forever difficult to achieve. It takes strength, vision and a lot of will in the face of insurmountable objections.

But they also can't afford to stand still. Those in charge are entrusted with keeping an eye on the future.

Ultimately, it just look at the growing town of Gol Gol and see an opportunity.

If a local sporting club can provide a pathway for kids to come through to play at the highest local level possible, then it's a win-win. Maybe it's time to think outside the square.



Where Wentworth Shire Decisions are Made

<b>Position</b>	<b>Status</b>	<b>Comments</b>
<b>General Manager</b>	Vacant – now filled	Backfilled in an acting capacity by Director Health and Planning
<ul style="list-style-type: none"> <li>• <b>Director Health and Planning</b></li> </ul>	Vacant – currently being advertised	Backfilled in an acting capacity by Strategic Development Officer
<ul style="list-style-type: none"> <li>• <b>Strategic Development Officer</b></li> </ul>	Temporarily vacant	
<b>Director Roads and Engineering</b>	Vacant – currently being advertised	Backfilled in an acting capacity by Manager Works
<ul style="list-style-type: none"> <li>• <b>Manager Works</b></li> </ul>	Vacant	Backfilled in an acting capacity Construction Supervisor
<b>Manager Infrastructure Projects</b>	Vacant	
<b>Manager Assets</b>	Vacant	
<b>Manager Waste and Resource Recovery</b>	Vacant	
<b>Assets Officer</b>	Vacant	
<b>Building Surveyor</b>	Vacant	Position being undertaken by a contractor
<b>Manager Technical Services</b>	Vacant	

# PLANNING SYSTEM BIAS TOWARDS SYDNEY REGION OVER RESTOFNSW

## SYDNEY

### POPULATION /HOUSING

#### HOUSING TARGETS

LOCAL PLANS AND COUNCILS REQUIRED TO INCLUDE POPULATION GROWTH

#### VIEWS

VIEWS ACCEPTED BY DEPT. AS METHOD STIMULATING DEVELOPMENT

#### SUBDIVISION FOR DWELLINGS

"MISSING MIDDLE" MEDIUM DENSITY DEVELOPMENT ENCOURAGED

#### FARMLAND

VIRTUALLY ALL PRIME FARMLAND IN SYDNEY BASIN SUBDIVIDED FOR HOUSES

### DIVERSE ECONOMY

#### TOURISM

GOVERNMENT REPURPOSES OWN BUILDINGS TO ENCOURAGE

#### PRIORITY PROJECTS

THIRTY FOUR (34) PRIORITY AREAS FOR COMMUNITY DEVELOPMENT

### PLANNING SYSTEM

#### LEP INTEGRITY

MAPS ACCURATE AND SUPPORTED BY SOURCE DATA/REPORTS

#### COUNCIL CAPACITY

WELL RESOURCED AND PROFESSIONAL

#### DEPT PLANNING CAPACITY

WELL RESOURCED AND PROFESSIONAL

#### STRATEGIC INTEGRITY

STRATEGIES WELL RESEARCHED AND ACTIONED

## RESTOFNSW

NO POPULATION TARGETS IN FAR WEST REGIONAL PLAN

RIVER VIEWS AND ACCESS TO RIVER RESTRICTED

FARMERS UNABLE TO SUBDIVIDE EXISTING FARM HOUSE

DPI OPPOSES ALL SUBDIVISION WHEN REAL SHORTAGE IS OF WATER AND INVESTMENT RATHER THAN LAND

LEPS BAN TOURISM IN RURAL AREAS AND REZONINGS BLOCKED

SMALL PART OF PARKES/WAGGA ONLY IN 80MILLION HA

MAPS FULL OF ERRORS / MINIMAL SOURCE DATA/REPORTS

UNDER-RESOURCED/TRAINED TO DEAL WITH COMPLEXITY AND DEMANDS OF SYSTEM

UNDER-RESOURCED/TRAINED TO DEAL WITH COMPLEXITY AND DEMANDS OF SYSTEM / GEOGRAPHIC IMPOSSIBILITY

STRATEGIES JUST GLOSSY DOCUMENTS THAT ARE NOT IMPLEMENTED

COMMUNITY CONSULTATION PRESS/COMMUNITY/COUNCIL DEMANDS AND RECEIVES INPUT INTO STRATEGIES DEPT USES COUNCILS AS A FOIL TO AVOID ACCOUNTABILITY



**Subject:** FW: ERRORS IN ASSESSMENT OF NORTHBANK PLANNING PROPOSAL

**Date:** Friday, 4 October 2019 at 11:45:05 am Australian Eastern Standard Time

**From:** Bob Wheeldon

**To:** Monica.Gibson@planning.nsw.gov.au, Gary White

Monica

Thanks for the discussion re Northbank today.

I attach the letter sent to Marcus Ray in June 2018 identifying a number of the issues with the Department's Assessment Reports. From our discussion I was not sure if you were aware of these matters.

In the 15 months since Steve and Marcus promised us a new Gateway Assessment by Gary:

- the site has been cleared in accordance with an existing clearing approval - this means bushfire and biodiversity issues are minimal
- Gary has completed a strategic review of Wentworth
- the property has been identified as a high priority project by the NSW Regional Economic Development Strategy for the region
- Buronga Gol Gol area has grown
- Wentworth Shire is in a very serious drought with limitations on new horticulture plantings and failed drylands crops - the land has limited agricultural potential and diversification should be encouraged as a matter of urgency

Consideration of the changes in the past 15 months and matters in the attached letter mean a Gateway Report should be issued.

I remain available and keen to discuss the detailed issues associated with Northbank with Gary to allow him to make a Gateway Recommendation.

Kind regards  
Bob Wheeldon  
Grand Junction  
0411 222181

On 15/6/18, 11:56 am, "Bob Wheeldon" <[bob@wheeldon.com.au](mailto:bob@wheeldon.com.au)> wrote:

On 14/6/18, 3:12 pm, "Bob Wheeldon" <[bob@wheeldon.com.au](mailto:bob@wheeldon.com.au)> wrote:

Dear Marcus

From discussions with Louise Higgins I understand you are acting Secretary from tomorrow. Can you please contact me asap re this?

In summary the Department has not considered correspondence (our letters of 6 November 2017) provided to it before making the Gateway Declaration.

**Subject:** Northbank Planning Proposal

**Date:** Wednesday, 13 November 2019 at 12:19:04 pm Australian Eastern Daylight Time

**From:** Bob Wheeldon

**To:** Gary White

Gary

As suggested by Sandie I will be calling you this afternoon to discuss the Northbank Gateway approval process.

For these purposes I attach:

1. Extract of Far West Regional Plan Implementation Report - Item 5.8 requires Wentworth to align its LEP with the Destination Management Plan by the end of 2019 and DPE to partner with Council. Approving the Northbank Planning Proposal is the only way this commitment can be met.
2. Gateway Approvals and Reports for the two Wentworth Planning Proposals closest to Northbank. As you can see the analysis is not very detailed and conditions are placed on the Planning Proposals as part of the Gateway

Kind regards  
Bob Wheeldon  
Grand Junction

5	<b>Direction 5: Promote tourism opportunities</b>				
	Action	Initiative or Strategy	Governance		
			Responsibility <sup>1</sup>	Partner <sup>2</sup>	Timing <sup>3</sup>
5.1	Implement Destination NSW's Draft Aboriginal Tourism Action Plan 2017-2020 when finalised.	Initiative	Destination NSW	Council, DCONSW	Ongoing
5.2	Expand Aboriginal Export Ready Tour Products by partnering with relevant stakeholders.	Strategy	Destination NSW	Council, IALC, AANSW, DCONSW	Medium Term
5.3	Consult with native title holders, particularly prescribed body corporates, to determine how and subject to native title rights may be utilised in the tourism sector.	Strategy	NPWS	Prescribed Body Corporates, IALC	Ongoing
5.4	Implement the Line of Lode redevelopment Strategy.	Initiative	DOI	Council, DPC	Ongoing
5.5	Improve access and infrastructure for the tourism sector, focusing on all weather transport routes.	Strategy	TfNSW	Council, DPE	Ongoing
5.6	Investigate development of a regional tourism trail between Bakewell, Wentworth, Mallee Cliffs, Mungo and Yanga floodplains; and between White Cliffs, Manildra, Thaburnara and Silverton.	Initiative	Council	DCONSW, DPC	Medium Term
5.7	Investigate development of a Far West Sculpture Trail encompassing sites at Broken Hill, Murrumbidgee, White Cliffs and Wilcannia.	Initiative	Council	DCONSW, DPC	Medium Term
5.8	Align local land use and tourism strategies with the relevant Destination Management Plan.	Initiative	Council	DCONSW, DPE	Immediate
5.9	Identify opportunities for tourism and associated land uses in local plans.	Initiative	Council	DCONSW, DPE	Short Term

<sup>1</sup> Responsibility: The rates payer funds the investigation, assessment and the donor making the land use planning

<sup>2</sup> Partner: The rates payer supports the regional infrastructure and services and is working

<sup>3</sup> Timing: Immediate: 0-2 years, short term: 3-5 years, medium term: 5-10 years, long term: 10+ years, ongoing-strategies

Council includes all Councils in the Far West Region; DPE: Department of Planning and Environment; IALC: Intersect for NSW; DOI: Department of Industry; DPC: Department of Premier and Cabinet; OEH: Office of Environment and Heritage; NPWS: National Parks and Wildlife Services; DRG: Division of Resources and Geosciences; OGA: Office of the Government Architect; CBC: NSW Cross Border Commissioner; MDBA: Murray Darling Basin Authority; AANSW: NSW Aboriginal Affairs; LGC: Office of Local Government; EPA: Environmental Protection Authority; PACS: Department of Family and Community Services; IALC: Local Aboriginal Land Councils; RFS: Rural Fire and Fire Services; RFS: Rural Fire Services; IALC: Local Aboriginal Land Councils; CMC: Far West Delivery, Coordination and Monitoring Committee; Federal or: Department of Education; Health: Health NSW; DCONSW: Destination Country & Culture NSW; SES: State Emergency Services; Council NSW: Council NSW; Water NSW: Water NSW; DP: Water Department of Primary Industries



## Planning & Environment

Mr Peter Kozlowski  
General Manager  
Wentworth Shire Council  
PO Box 81  
Wentworth NSW 2648

15/13303

**Attention: Mr Ken Ross – Director Sustainable Development**

Dear Mr Kozlowski

**Planning proposal (PP\_2015\_WENTW\_003\_00) to Amend Wentworth Local Environmental Plan 2011 (Amendment 9) Additional Permitted Use – Highway Service Centre and Caravan Park, Sturt Highway, Trentham Cliffs**

I am writing in response to your Council's letter received on 9 September 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal to amend the Wentworth Local Environmental Plan 2011 (LEP) to allow development for a highway service centre (Lots 38 and 42 DP 756936 – Area B) and caravan park (Part Lot 1 DP 1128099- Area C) as an 'Additional Permitted Use', Sturt Highway, Trentham Cliffs.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination (Attachment 1).

The Minister delegated his plan making powers to Councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan (Attachment 2).

I have also agreed the planning proposal's inconsistencies with Section 117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 3.4 Integrating Land Use and Transport are of minor significance in this case. No further approval is required in relation to these Directions. Council should consider this land and these types of land uses in a strategic context to identify clearly where there may be tourism opportunities in the future.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office ([parliamentary.council@pco.nsw.gov.au](mailto:parliamentary.council@pco.nsw.gov.au)) 10 weeks prior to the projected

publication date. A copy of the request should be forwarded to the Department of Planning and Environment ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) for administrative purposes.

The amended LEP maps and GIS data is to be uploaded to the Departments FTP site at [ftp://leppurien\\_upload@203.3.194.247/](ftp://leppurien_upload@203.3.194.247/) and the map information emailed to: [ocgls@planning.nsw.gov.au](mailto:ocgls@planning.nsw.gov.au) and a copy to [westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au).

State Government is committed to reducing the time taken to complete LEP's by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 57(2)(d) of the EP&A Act if the time frames outlined in the determination are not met.

In accordance with "A guide for the preparation of local environmental plans" attachment 5 – Delegated plan making reporting template (Attachment 3) is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 59 submission and forwarded to the [westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au) when requesting the planning proposal to be finalised.

Should you have any further enquiries about this matter, I have arranged for Jenna McNabb from the Western Region office to assist you. Miss McNabb can be contacted on 02 6841 2180.

Yours sincerely,

*A. W. Albury* 24 9-2 2015

**Ashley Albury**  
General Manager, Western Region  
Planning Services

**Enclosed:**

- Attachment 1 – Gateway Determination
- Attachment 2 – Written Authorisation to Exercise Delegation
- Attachment 3 – Delegated Plan Making Reporting Template



## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_WENTW\_003\_00): to amend the Wentworth Local Environmental Plan 2011 to allow development for a highway service centre (Lots 38 and 42 DP 1128099) and caravan park (Part Lot 1 DP 1128099) as an 'Additional Permitted Use' Sturt Highway, Trentham Cliffs (identified as Areas B and C on the submitted Additional Permitted Use Map).**

I, the General Manager, Western Region at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 to amend the Wentworth Local Environmental Plan 2011 to allow development for a highway service centre (Lots 38 and 42 DP 756936 and caravan park (Part Lot 1 DP 1128099) as an 'Additional Permitted Use', Sturt Highway, Trentham Cliffs should proceed subject to the following conditions:

1. The planning proposal is to apply only for Additional Permitted Uses for a Highway Service Centre, as identified as Area B (Lots 38 and 42 DP 756936) and for a caravan park as identified as Area C (Part Lot 1 DP 1128099) on the submitted Additional Permitted Uses map.

2. Consultation is required with the following State Agency under Section 56 (2)(d) of the EP&A Act and/or to comply with the requirements of related section 117 Directions:

(a) NSW Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the planning proposal prior to community consultation.

3. Prior to the submission of the planning proposal under section 59 of the EP&A Act the Additional Permitted Use Map is to be compliant with the Department's "Standard technical requirements for LEP Maps".

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 25<sup>th</sup> day of September 2015

  
**Ashley Albury**  
General Manager, Western Region  
Planning Services  
Department of Planning & Environment  
Delegate of the Minister for Planning



**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Wentworth Shire Council is authorised to exercise the functions of the Minister for Planning and Environment under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by Instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_WENTW_003_00	To amend Wentworth Local Environmental Plan 2011 to allow development for a highway service centre (Lots 38 and 42 DP 1128099) and caravan park (Part Lot 1DP 1128099) as an 'Additional Permitted Use' Sturt Highway, Trentham Cliffs (identified as Areas B and C on the submitted Additional Permitted Use Map).

In exercising the Minister's functions under section 59, the Council must comply with Planning and Infrastructure's "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Dated 25 September 2015

*a.w. alb.*  
**Ashley Albury**  
General Manager, Western Region  
Planning Services  
Department of Planning & Environment

**Delegate of the Minister for Planning**

## Attachment 5 – Delegated plan making reporting template

### Reporting template for delegated LEP amendments

#### Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to Table 2 to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

**Table 1 – To be completed by the department**

Stage	Date/Details
Planning Proposal Number	PP 2015 WENTW 003 00
Date Sent to Department under s56	9 September 2015
Date considered at LEP Review Panel	Considered by the Director Generals Delegate 25 September 2015
Gateway determination date	25 September 2015

**Table 2 – To be completed by the RPA**

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

**Table 3 – To be completed by the department**

Stage	Date/Details
Notification Date and details	

#### Additional relevant information:





**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service Centre and Caravan Park, Sturt Highway, Trentham Cliffs**

<b>Proposal Title :</b>	<b>Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service Centre and Caravan Park, Sturt Highway, Trentham Cliffs</b>		
<b>Proposal Summary :</b>	<b>To amend Wentworth LEP 2011 to allow development for the purposes of a Highway Service Centre and Caravan/RV Park as an 'Additional Permitted Use' in Schedule 1 of the LEP at Sturt Highway, Trentham Cliffs.</b>		
<b>PP Number :</b>	<b>PP_2016_WENTW_063_00</b>	<b>Dop File No :</b>	<b>16/13584</b>

**Proposal Details**

<b>Date Planning Proposal Received</b>	<b>09-Sep-2016</b>	<b>LGA covered :</b>	<b>Wentworth</b>
<b>Region :</b>	<b>Western</b>	<b>RPA :</b>	<b>Wentworth Shire Council</b>
<b>State Electorate :</b>	<b>MURRAY DARLING</b>	<b>Section of the Act :</b>	<b>55 - Planning Proposal</b>
<b>LEP Type :</b>	<b>Spot Rezoning</b>		

**Location Details**

<b>Street :</b>	<b>Sturt Highway</b>		
<b>Suburb :</b>	<b>Trentham Cliffs</b>	<b>City :</b>	<b>Wentworth</b>
<b>Land Parcel :</b>	<b>Part Lot 1 DP 1128068</b>		<b>Postcode :</b> <b>2648</b>
<b>Street :</b>	<b>Sturt Highway</b>		
<b>Suburb :</b>	<b>Trentham Cliffs</b>	<b>City :</b>	<b>Wentworth</b>
<b>Land Parcel :</b>	<b>Lot 42 DP 766936</b>		<b>Postcode :</b> <b>2648</b>
<b>Street :</b>	<b>Sturt Highway</b>		
<b>Suburb :</b>	<b>Trentham Cliffs</b>	<b>City :</b>	<b>Wentworth</b>
<b>Land Parcel :</b>	<b>Lot 38 DP 766936</b>		<b>Postcode :</b> <b>2648</b>

**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service Centre and Caravan Park, Sturt Highway, Trentham Cliffs**

**DoP Planning Officer Contact Details**

Contact Name : Jenna McNabb  
Contact Number : 0268412180  
Contact Email : jenna.mcnebb@planning.nsw.gov.au

**RPA Contact Details**

Contact Name : Michele Bos  
Contact Number : 0350275027  
Contact Email : Michele.Bos@wentworth.nsw.gov.au

**DoP Project Manager Contact Details**

Contact Name : Wayne Gamsey  
Contact Number : 0268412180  
Contact Email : wayne.gamsey@planning.nsw.gov.au

**Land Release Data**

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with :	Yes		
If No, comment :			

Have there been meetings or communications with registered lobbyists? :

No

If Yes, comment : There have been no known communications with registered lobbyists.

**Supporting notes**

Internal Supporting Notes :

The subject planning proposal has been submitted following a request from a local developer to establish a highway service centre and caravan/RV park on the subject land. A highway service centre is proposed to be constructed on the site, to operate as a rest area and fuel stop for tourists. It is also proposed to offer short term accommodation for tourists at the site. A caravan park currently operates on the site, and it is proposed to expand and provide 81 sites for caravans/RVs and relocatable dwelling/cabins, in addition to amenities and recreation facilities (playground, tennis courts) for the use of guests. The extension of such use compliments the nearby Trentham Cliffs winery and existing caravan parks.

**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service Centre and Caravan Park, Sturt Highway, Trantham Cliffs**

The subject land is currently zoned R5 - Large Lot Residential and RU1 Primary Production.

The current residential zoning of the land is surrounded by RU1 Primary Production land, and was zoned to facilitate the ongoing operation of the caravan park. Strategically, the land is not suitably placed for residential development, and the use of the site for a highway service centre and tourist purposes on the areas identified as 'B' on Lot 42 DP 756936 and Lot 36 DP 756936 and a caravan park on area 'C' on part Lot 1 DP 1128099 is considered to be appropriate.

By including the proposal in Schedule 1 of the Wentworth LEP, rather than zoning the site SP3 Tourist, the site is restricted to the uses listed in Schedule 1. The R5 zone currently permits the development of a caravan park with consent, however prohibits highway service centre. The surrounding RU1 zone prohibits both the construction of a highway service centre and caravan park. While the land is about 5km east of Gol Gol on the Sturt Highway and there is no endorsed Strategy, the proposal has merit having regard to the location and existing development nearby. The use of Schedule 1 is considered to be the most mechanism to progress the proposed development.

Council also considered rezoning the site to SP3 Tourist, however, the rezoning of the site was not considered to be appropriate, given the surrounding land uses (being primary production and extensive horticulture) and Council does not wish to establish a tourism precinct on the site, other than to allow the proposed uses.

The proposed highway service centre is to be located away from residential development, thus minimising potential land use conflict.

The land is not identified as flood prone land or subject to any other known environmental constraints.

Council has requested authorization to undertake plan making delegations. This is considered appropriate.

External Supporting Notes :

**Adequacy Assessment**

**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment : The Statement of Objectives clearly identifies the objective of the planning proposal is to facilitate the development of a highway service centre and expand the existing caravan park on the site.

**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? Yes

Comment : The explanation of provisions clearly state the outcome of the planning proposal will be achieved by amending Schedule 1 to include the land uses of highway service centre and caravan park on the subject land.

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

- 1.2 Rural Zones
- 1.5 Rural Lands
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 6.3 Site Specific Provisions

**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service Centre and Caravan Park, Sturt Highway, Trencham Cliffs**

Is the Director General's agreement required?

c) Consistent with Standard Instrument (LEPs) Order 2006 :

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land  
SEPP (Rural Lands) 2006

e) List any other matters that need to be considered :

**Section 11 Directions:**

• **1.2 – Rural Zones**

The planning proposal seeks to use zone RU1 part of Lot 1 DP1123099 as a caravan park as an additional permitted use. The proposed highway service centre is to be undertaken on lots 38 & 42 DP 756936 which is zone R5 – Large Lot Residential land. The loss of agricultural productivity on the site as a result of the proposal is considered to be minimal and of minor significance. The inconsistency with this direction is considered to be of minor significance, given the lack of agricultural productivity on the RU1 zoned land and the location near zone R5 land.

• **1.5 – Rural Lands**

The subject land is not currently utilised for agricultural production. Any loss of agricultural productivity is considered to be minimal and the inconsistency of the proposal with this direction is considered to be of minor significance. Potential land use conflict on the adjacent winery will be required to be assessed by Council at the development application stage.

• **3.1 – Residential Zones**

The proposal is considered to be consistent with this Direction. The proposal will broaden the choice of housing options in the Wentworth Shire. Indicative plans provide long term/permanent residential sites in the proposed caravan park. This is consistent with the R5 zoning of the land.

• **3.4 – Integrating Land Use and Transport**

Existing site access is available to the site by road from the Sturt Highway. The proposed highway service centre and caravan park will require the access points to be upgraded, at development application stage. The proposed development is considered to be inconsistent with the Direction, however the inconsistency is considered to be of minor significance and consultation with Roads and Maritime Services is required.

• **6.3 – Site Specific Provisions**

The proposal is consistent with this Direction as the proposal does not change the existing zone or development provisions.

**SEPPs:**

• **SEPP (Rural Lands)**

The proposed development is to be undertaken partly on RU1 Primary Production land for a caravan park. Surrounding land is zoned RU1 Primary Production. It is considered that the reduced agricultural productivity of the land is minor in this case as the subject land is not utilised for agriculture.

• **SEPP 55 – Remediation of Land**

The land may have been used for agriculture or horticulture and the proposed accommodation is a more sensitive use. The provisions of SEPP 55 will be required to be considered at the development application stage.

**Local Government Regulation – Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings (2005)**

Council will need to consider the provisions of the Regulation at the development application stage.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service Centre and Caravan Park, Sturt Highway, Trentham Cliffs**

**Mapping Provided - s55(2)(d)**

Is mapping provided? Yes

Comment : Mapping has been provided, showing the site and also the proposed Schedule 1 Map to be included as part of the LEP mapping suite. This is considered to be appropriate for community consultation. A indicative map showing the extent of the proposal on the site has also be included.

**Community consultation - s55(2)(e)**

Has community consultation been proposed? Yes

Comment : Council has proposed a period of 28 days of community consultation. This is considered to be appropriate.

**Additional Director General's requirements**

Are there any additional Director General's requirements? No

If Yes, reasons :

**Overall adequacy of the proposal**

Does the proposal meet the adequacy criteria? Yes

If No, comment :

**Proposal Assessment**

**Principal LEP:**

Due Date :

Comments in relation to Principal LEP :

The principal Wentworth LEP 2011 in the Standard Instrument format was notified on 16 December 2011.

**Assessment Criteria**

Need for planning proposal :

The planning proposal is required to facilitate the proposed development. The proposal is not the result of any strategy or study, however is in response to an enquiry to undertake the development and the plan to provide highway service centres strategically along Sturt Highway.

The amendment of Schedule 1 is the most appropriate mechanism to achieve the objective of the proposal at this time.

Consistency with strategic planning framework :

Wentworth does not have an endorsed Land Use Strategy. The Wentworth Region Community Strategic Plan 2013-2023 encourage the growth and support of tourism in the Shire, and the proposal is consistent with this principle.

Environmental social economic impacts :

The subject land is not identified as flood prone or subject to any other environmental constraints.

It is proposed to integrate recreation activities and the existing wetlands on the western portion of the site adjoining the Murray river, for passive recreation purposes, which is currently permissible in zone RU1 and no change to the zoning of this land is required. Further assessment of this will be required at the development application stage.

Surrounding land is zoned RU1 Primary Production, and an agricultural produce industry (winery, including cellar door) is adjacent to the site. Any potential land use conflicts will

**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service Centre and Caravan Park, Sturt Highway, Trentham Cliffs**

be required to be considered by Council at the development application stage, however Council have indicated in their submission that the winery may benefit from and complement the proposal, with increased visitation.

The location of the highway service centre is considered to be appropriate, being strategically located for tourists and users of the Sturt Highway. The location is also suitable for the use of heavy vehicles. Consideration of the impacts of frequent heavy vehicles will be required by Council in conjunction with Roads and Maritime Services in relation to the amenity of tourists utilising the caravan park.

The caravan park extension will provide an alternative form of tourist accommodation in the LGA area and complement the Trentham Cliffs Winery. Council has recognised the need for additional tourist accommodation types, given the increase of tourist visitation in the area.

**Assessment Process**

Proposal type :	Consistent	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	RPA
Public Authority Consultation - 58(2) (d) :	Office of Environment and Heritage Transport for NSW		

Is Public Hearing by the PAC required? No

(2)(a) Should the matter proceed? Yes

If no, provide reasons :

Resubmission - s58(2)(b) : No

If Yes, reasons :

Identify any additional studies, if required.:

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons :

**Documents**

Document File Name	DocumentType Name	Is Public
Att 1 Draft Development Concept Plan.pdf	Map	No
Att 2 Aerial Photo.pdf	Map	No
Att 3 Current Land Zone map.pdf	Map	No
Att 4 Proposed Additional Permitted Use Map.pdf	Map	No
Att 5 Consistency with SEPPs & S117 Directions.docx	Proposal	No
Att 6 Council Report & Resolution.pdf	Proposal	No

**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service  
Centre and Caravan Park, Sturt Highway, Trencham Cliffs**

Attachment 4 - Evaluation criteria for the delegation of plan.doc	Proposal	No
Initial Request for Gateway Determination signed.pdf	Proposal	No
Planning Proposal Report.docx	Proposal	No

**Planning Team Recommendation**

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions:
- 1.2 Rural Zones
  - 1.5 Rural Lands
  - 3.1 Residential Zones
  - 3.4 Integrating Land Use and Transport
  - 6.3 Site Specific Provisions

Additional Information : **That Gateway determines to support the planning proposal, subject to the following conditions:**

1. The planning proposal is to apply only for Additional Permitted Uses for a Highway Service Centre and Caravan Park, as identified as Area B (Lots 38 and 42 DP 756836) and Area C (Part Lot 1 DP 1126099) on the submitted Additional Permitted Use map.

2. Consultation is required with the following State Agency under Section 56 (2)(d) of the EP&A Act and/or to comply with the requirements of related section 117 Directions:

- (a) NSW Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the planning proposal prior to community consultation.

3. Prior to the submission of the planning proposal under section 59 of the EP&A Act the Additional Permitted Use Map is to be compliant with the Department's "Standard technical requirements for LEP Maps".

4. A public hearing is not required to be held into the matter by any person or body under section 58(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

6. Prior to the submission of the planning proposal under section 59 of the EP&A Act the Additional Permitted Use Map is to be compliant with the Department's "Standard technical requirements for LEP Maps".

7. Authorise Wentworth Shire Council to exercise delegations to finalise the planning proposal.

Supporting Reasons:

The site is suited to development as a highway service centre and due to its location and existing use as a caravan park and nearby winery;

The General Manager, Western Region can use delegation in this case as the proposal is consistent with the surrounding land use and is a one off proposal.

**Wentworth LEP 2011 Amendment No. 9 - Additional Permitted Use - Highway Service  
Centre and Caravan Park, Sturt Highway, Trentham Cliffs**

Signature:

*Jenna Nienaber*

Printed Name:

*Jenna Nienaber*

Date:

*25.9.15*

*Endorsed  
Wagmansley 25/9/15  
TLWR*





## Planning & Environment

Mr Peter Kozlowski  
General Manager  
Wentworth Shire Council  
PO Box 81  
Wentworth NSW 2648

15/13310

**Attention: Mr Ken Ross – Director Sustainable Development**

Dear Mr Kozlowski

**Planning proposal (PP\_2015\_WENTW\_004\_00) to amend Wentworth Local Environmental Plan 2011 (Amendment 10) for an Additional Permitted Use – Jewel Market – Sturt Highway, Gol Gol**

I am writing in response to your Council's letter received on 9 September 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal to amend the Wentworth Local Environmental Plan 2011 (LEP) to allow development for a market as an 'Additional Permitted Use' on part Lot 2 DP 733735, Sturt Highway, Gol Gol.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination (Attachment 1).

The Minister delegated his plan making powers to Councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's Planning Proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan (Attachment 2).

The planning proposal's inconsistency with Section 117 Directions 4.3 Flood Prone Land requires further work and consultation with the Office of Environment and Heritage. Council is therefore requested to undertake a Flood Study and Floodplain Management Plan in consultation with the Office of Environment and Heritage in respect to the subject land prior to community consultation. This inconsistency is to be addressed by Council and submitted for approval by Department prior to community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office ([parliamentary.counsel@pcg.nsw.gov.au](mailto:parliamentary.counsel@pcg.nsw.gov.au)) 10 weeks prior to the projected publication date.

A copy of the request should be forwarded to the Department of Planning and Environment ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) for administrative purposes.

The amended LEP maps and GIS data is to be uploaded to the Departments FTP site at [ftp://lepup:lep\\_upload@203.3.194.247/](ftp://lepup:lep_upload@203.3.194.247/) and the map information emailed to: [pcgts@planning.nsw.gov.au](mailto:pcgts@planning.nsw.gov.au) and a copy to [westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au).

State Government is committed to reducing the time taken to complete LEP's by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 57(2)(d) of the EP&A Act if the time frames outlined in the determination are not met.

In accordance with "A guide for the preparation of local environmental plans" attachment 5 – Delegated plan making reporting template (Attachment 3) is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 59 submission and forwarded to the [westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au) when requesting the planning proposal to be finalised.

Should you have any further enquiries about this matter, I have arranged for Jenna McNabb from the Western Region office to assist you. Miss McNabb can be contacted on 02 6841 2180.

Yours sincerely,

  
25-9-2015  
**Ashley Albury**  
General Manager, Western Region  
Planning Services

**Enclosed:**

Attachment 1 – Gateway Determination  
Attachment 2 – Written Authorisation to Execute Delegation  
Attachment 3 – Delegated Plan Making Reporting Template



## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_WENTW\_004\_00): to amend the Wentworth Local Environmental Plan 2011 to allow development for a market as an 'Additional Permitted Use' on part Lot 2 DP 733735, Sturt Highway, Gol Gol**


I, the General Manager, Western Region at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 to amend the Wentworth Local Environmental Plan 2011 to allow development for a market as an 'Additional Permitted Use' on part Lot 2 DP 733735, Sturt Highway, Gol Gol should proceed subject to the following conditions:

1. Prior to community consultation, a flood Study and Floodplain Risk Management Plan prepared in accordance with the Floodplain Development Manual 2005 to the requirements of the Office of Environment and Heritage for the development site is to be submitted to the Department of Planning and Environment for approval.
2. Prior to community consultation Council is to address the inconsistency with section 117 Direction 4.3 Flood Prone Land and seek the approval of the Department of Planning and Environment.
3. Consultation is required with the following State Agencies under Section 56 (2)(d) of the EP&A Act and/or to comply with the requirements of related section 117 Directions:
  - (a) Office of Environment and Heritage
  - (b) NSW Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the planning proposal prior to community consultation.

4. Prior to the submission of the planning proposal under section 59 of the EP&A Act the Additional Permitted Use Map is to be compliant with the Department's "Standard technical requirements for LEP Maps".
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 25 day of September 2015.

  
**Ashley Albury**  
General Manager, Western Region  
Planning Services  
Department of Planning & Environment  
Delegate of the Minister for Planning



**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Wentworth Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_WENTW_004_00	To amend Wentworth Local Environmental Plan 2011 to allow development for a market as an 'Additional Permitted Use' on part Lot 2 DP 733735, Sturt Highway, Gol Gol

In exercising the Minister's functions under section 59, the Council must comply with Planning and Infrastructure's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 25 September 2015

  
**Ashley Albury**  
General Manager, Western Region  
Planning Services  
Department of Planning & Environment

**Delegate of the Minister for Planning**

## Attachment 5 – Delegated plan making reporting template

### Reporting template for delegated LEP amendments

#### Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to Table 2 to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

**Table 1 – To be completed by the department**

Stage	Date/Details
Planning Proposal Number	PP 2015 WENTW 004_00
Date Sent to Department under s56	9 September 2015
Date considered at LEP Review Panel	Considered by the Director Generals Delegate 25 September 2015
Gateway determination date	25 September 2015

**Table 2 – To be completed by the RPA**

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

**Table 3 – To be completed by the department**

Stage	Date/Details
Notification Date and details	

#### Additional relevant information:



**Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol**

**Proposal Title :** Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol

**Proposal Summary :** To amend Wentworth LEP 2011 to allow development for the purposes of a market as an 'Additional Permitted Use' at part Lot 2 DP 733735, Sturt Highway, Gol Gol.

**PP Number :** PP\_2015\_WENTW\_004\_00      **Dop File No :** 15/13393

**Proposal Details**

**Date Planning Proposal Received :** 09-Sep-2015      **LGA covered :** Wentworth

**Region :** Western      **RPA :** Wentworth Shire Council

**State Electorate :** MURRAY DARLING      **Section of the Act** 65 - Planning Proposal

**LEP Type :** Spot Rezoning

**Location Details**

**Street :** Sturt Highway

**Suburb :** Gol Gol      **City :** Wentworth      **Postcode :** 2648

**Land Parcel :** part Lot 2 DP 733735

**DoP Planning Officer Contact Details**

**Contact Name :** Jenna McNabb

**Contact Number :** 0268412180

**Contact Email :** jenna.mcnabb@planning.nsw.gov.au

**RPA Contact Details**

**Contact Name :** Michele Bos

**Contact Number :** 0350276027

**Contact Email :** Michele.Bos@wentworth.nsw.gov.au

**DoP Project Manager Contact Details**

**Contact Name :** Wayne Garsney

**Contact Number :** 0268412180

**Contact Email :** wayne.garsney@planning.nsw.gov.au

**Land Release Data**

**Growth Centre :**      **Release Area Name :**

**Regional / Sub Regional Strategy :**      **Consistent with Strategy :**

**Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol**

<b>MDP Number :</b>		<b>Date of Release :</b>	
<b>Area of Release (Ha) :</b>		<b>Type of Release (eg Residential / Employment land) :</b>	
<b>No. of Lots :</b>	0	<b>No. of Dwellings (where relevant) :</b>	0
<b>Gross Floor Area :</b>	0	<b>No of Jobs Created :</b>	0
<b>The NSW Government Lobbyists Code of Conduct has been complied with :</b>	Yes		
<b>If No, comment :</b>			
<b>Have there been meetings or communications with registered lobbyists? :</b>	No		
<b>If Yes, comment :</b>			
<b>Supporting notes</b>			
<b>Internal Supporting Notes :</b>	<p>The subject planning proposal has been submitted following a request from a local developer to establish a permanent local produce market on the subject land.</p> <p>The market is proposed to be a purpose-built permanent market building, comprising a number of stalls for the sale of locally grown and made produce. Concept plans indicate café/takeaway food and drink premises, dry goods, market stalls and fixed shops will occupy the tenancy. The market is proposed to operate similar to a supermarket, with hours of operation (including number of days) to be determined at the development application stage.</p> <p>The subject land is currently zone E3 – Environmental Management, which prohibits the use of the land for commercial/retail purposes. The current definition of a market does not provide for a purpose built building to be considered under this definition, nor the permanent operation. The proposal is considered to be a retail premises, by definition. By including the proposal in Schedule 1 of the Wentworth LEP, rather than zoning the site zone B2 Local Centre, the site is restricted to the uses listed in Schedule 1, and does not create opportunities for additional retail development that is not in keeping with the intent of the planning proposal for a local produce market. The use of Schedule 1 is considered to be the most appropriate mechanism to progress the proposed development. Even though there is no endorsed land use strategy the proposal has merit having regard to the location and purpose.</p> <p>The land is identified as flood prone land. Council have advised that the E3 zoning has been applied to the site with the intent of managing and protecting the land from flood risk. The flood study information provided by Council has not included the subject site and this work and resolution of s117 Direction 4.3 should be undertaken prior to the commencement of public exhibition.</p> <p>Council has requested authorisation to undertake plan making delegations. This is considered appropriate.</p>		
<b>External Supporting Notes :</b>			

**Adequacy Assessment**

**Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol**

**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? **Yes**

**Comment :** The Statement of Objectives clearly identifies the objective of the planning proposal is to facilitate the development of a permanent market on the site.

**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? **Yes**

**Comment :** The explanation of provisions clearly state the outcome of the planning proposal will be achieved by amending Schedule 1 to include the land uses of permanent market on the subject land.

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

- 1.1 Business and Industrial Zones
- 2.1 Environment Protection Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land

\* May need the Director General's agreement

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP No 65—Remediation of Land**

e) List any other matters that need to be considered :

**Section 117 Directions:**

- 1.1 – Business and Industrial Zones

The proposal is consistent with this Direction. Opportunity for the provision of additional employment land is being provided to the Wentworth community, in addition to providing a new employment development and opportunities.

- 2.1 – Environment Protection Zones

Council in its documentation has advised that the subject land has been zoned E3 Environmental Management due to the land being identified as flood prone land.

The proposed development will continue to protect and conserve the area, by limiting the development on the site and have regard to the flooding impacts as required by Wentworth LEP 2011, Floodplain Development Manual and Council's Development Control Plan. The General Manager, Western Region (as nominated officer) can be satisfied that the proposals inconsistency with this direction is considered to be of minor significance.

- 3.4 – Integrating Land Use and Transport

Existing site access is available from the Sturt Highway. The development will require the access points to be upgraded, at development application stage. The proposed development is considered to be consistent with the Direction, subject to road access upgrade in consultation with Roads and Maritime Services.

- 4.3 – Flood Prone Land

The proposal seeks to allow development of a permanent structure in a flood affected area which is inconsistent with the Direction.

Two floodplain management studies have been undertaken in Wentworth. The Floodplain Management Plan – Gol Gol to Abbotsford Bridge 1995 (Kinchill Engineers Pty Ltd) did not prohibit the development of the area. In addition, the Draft Floodplain Risk Management Study 2011 (Worley Parsons) did not prohibit the development of the area and considered that the slight increase in flood levels of the area, caused by the development of the land east of the subject site, was insignificant.



**Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol**

The flood information provided indicates the land may be suitable for the proposed development however this site has not been specifically modelled. This is required and consultation with Office of Environment and Heritage is required prior to the commencement of public exhibition to resolve the inconsistency with this Direction.

**6.3 - Site Specific Provisions**

The proposal is consistent with this Direction as Council's flood, zone and development provisions will remain. No specific controls will apply to this proposal.

**SEPPs:**

**SEPP 55 - Remediation of Land**

The subject land appears to have been used for horticulture and agricultural uses. The proposed use is a combination of retail and commercial uses. The provisions of SEPP 55 will be required to be considered at the development application stage.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

**Mapping Provided - s55(2)(d)**

Is mapping provided? Yes

Comment :

Mapping has been provided, showing the site and also the proposed Schedule 1 Map to be included as part of the LEP mapping suite. This is considered to be appropriate for community consultation. An indicative map showing the extent of the proposal on the site has also be included.

**Community consultation - s55(2)(e)**

Has community consultation been proposed? Yes

Comment :

Council has proposed a period of 28 days of community consultation. This is considered to be appropriate.

**Additional Director General's requirements**

Are there any additional Director General's requirements? No

If Yes, reasons :

**Overall adequacy of the proposal**

Does the proposal meet the adequacy criteria? Yes

If No, comment :

**Proposal Assessment**

**Principal LEP:**

Due Date :

Comments in relation to Principal LEP :

The principal Wentworth LEP 2011 in the Standard Instrument format was notified on 16 December 2011.

**Assessment Criteria**

Need for planning proposal :

The planning proposal is required to facilitate the proposed development. The proposal is not the result of any strategy or study, however is in response to an enquiry to undertake the development.

The amendment of Schedule 1 is the most appropriate mechanism to facilitate the development.

**Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol**

**Consistency with strategic planning framework :**

Wentworth does not have an endorsed Land Use Strategy.

The Wentworth Region Community Strategic Plan 2013-2023 encourages the growth and support of economic development in the Shire, and the proposal is consistent with this principle.

**Environmental social economic impacts :**

The subject land is identified as being within zone E3 Environmental Management, and also identified as flood prone land. It is considered that any impacts as a result of the construction of the building can be assessed and managed at the development application stage. However consultation with Office of Environment and Heritage is required to address the flood issue and inconsistency with Section 117 Direction 4.3 prior to community consultation.

The inconsistency with s117 Direction 4.3 will be required to be settled with the Department prior to community consultation.

The location of the market is considered to be appropriate, being located near other retail development in Gol Gol and for residents and users of the Sturt Highway. Consideration of the impacts of the traffic generation will be required by Council in relation to the amenity of the surrounding area.

The market will provide a location for the sale of locally produced and grown produce in the area, direct to the public, which will have an immediate benefit on the local economy.

**Assessment Process**

<b>Proposal type :</b>	<b>Consistent</b>	<b>Community Consultation Period :</b>	<b>28 Days</b>
<b>Timeframe to make LEP :</b>	<b>12 months</b>	<b>Delegation :</b>	<b>RPA</b>
<b>Public Authority Consultation - 58(2)(d) :</b>	<b>Office of Environment and Heritage Transport for NSW</b>		

**Is Public Hearing by the PAC required? No**  
**(2)(a) Should the matter proceed? Yes**

**if no, provide reasons :**

**Resubmission - s56(2)(b) : No**

**if Yes, reasons :**

**Identify any additional studies, if required. :**

**if Other, provide reasons :**

**Identify any internal consultations, if required :**

**No internal consultation required**

**Is the provision and funding of state infrastructure relevant to this plan? No**

**if Yes, reasons :**

**Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol**

**Documents**

<u>Document File Name</u>	<u>DocumentType Name</u>	<u>Is Public</u>
Att 1 Draft Concept Plan.pdf	Map	No
Att 2 Aerial Photo.pdf	Map	No
Att 3 Current Land Zone Map.pdf	Map	No
Att 4 Proposed Additional Permitted Use Map.pdf	Map	No
Att 5 Floodplain Map.pdf	Map	No
Att 6 Part Kinhill Pty Ltd Report.pdf	Proposal	No
Att 8 Part Worley Parsons Pty Ltd Report.pdf	Proposal	No
Att 7 Consistency with SEPPs & S117 Directions template.docx	Proposal	No
Evaluation_criteria_for_the_delegation_of_plan_.doc	Proposal	No
Planning Proposal Report.docx	Proposal	No
Request for Initial Gateway Determination signed.pdf	Proposal	No

**Planning Team Recommendation**

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

**S.117 directions:**

- 1.1 Business and Industrial Zones**
- 2.1 Environment Protection Zones**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**

**Additional Information :** That Gateway determines to support the Planning Proposal, subject to the following conditions:

**1. Prior to community consultation, a flood Study and Floodplain Risk Management Plan prepared in accordance with the Floodplain Development Manual 2006 to the requirements of the Office of Environment and Heritage for the development site is to be submitted to the Department of Planning and Environment for approval.**

**2. Prior to community consultation Council is to address the inconsistency with section 117 Direction 4.3 Flood Prone Land and seek the approval of the Department of Planning and Environment.**

**3. Consultation is required with the following State Agencies under Section 56 (2)(d) of the EP&A Act and/or to comply with the requirements of related section 117 Directions:**

- (a) Office of Environment and Heritage**
- (b) NSW Roads and Maritime Services**

**Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the planning proposal prior to community consultation.**

**6. Prior to the submission of the planning proposal under section 59 of the EP&A Act the Additional Permitted Use Map is to be compliant with the Department's "Standard technical requirements for LEP Maps".**

**6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).**


**7. The planning proposal is to be finalised within 12 months of the Gateway Determination date.**

**8. Council is authorised to exercise plan making delegations.**

**Wentworth LEP 2011 Amendment No. 10 - Additional Permitted Use - Jewel Markets, Sturt Highway, Gol Gol**

**Supporting Reasons :** Council has provided justification that the site is suited to the proposed development due to its location; however the proposed market is not permitted in zone E3 Environmental Management. The listing of the proposed development as permissible with development consent on the subject land in Schedule 1 of the WLEP 2011 will provide for development for the sale of local primary produce, without creating an 'out of centre' development.

The General Manager, Western Region can use delegation in this instance as the proposal is consistent with the surrounding land use and is a one off proposal which should provide a positive impact on the local economy in terms of employment and the retail of local produce.

Signature: 

Printed Name: Joanna Menalis Date: 25.7.15

Endorsed  
Mylamou 25/9/15  
TLWR



**Scot MacDonald MLC**  
Parliamentary Secretary for the Hunter

## **MEDIA RELEASE**

Wednesday, 15 August 2018

### **FUNDING FOR TOURISM PROJECTS IN THE HUNTER**

Parliamentary Secretary for the Hunter Scot MacDonald MLC is encouraging applications from the Hunter as part of the \$100 million second round of the NSW Liberal National Government's Regional Growth – Environment and Tourism Fund.

Mr MacDonald said up to \$50 million will be available for regionally iconic tourism activation projects that will cost over \$5 million.

"This time it's about providing bigger grants to those signature projects that will give us the chance to cement the Hunter's status as a holiday and tourism hot spot and an all-around fantastic place to live," Mr MacDonald said.

"We've already seen what the first round can offer with \$3 million for the Port Stephens Koala Hospital and Tourism Facility and \$500,000 to the Campervan & Motorhome Club of Australia for a statewide network of disposal points."

"I encourage the Hunter to put forward big picture projects now that will help to attract more tourists, create jobs, and showcase the impressive landscapes the Hunter has to offer."

Deputy Premier and Minister for Regional NSW John Barilaro said the remaining \$50 million will be available for applicants who submitted strong applications but were unsuccessful at the Expression of Interest stage in round one.

The Regional Growth - Environment and Tourism Fund is part of the NSW Government's commitment to the delivery of infrastructure projects which improve the productivity and competitiveness of the state under Restart NSW.

Applications for the fund will be open from 13 August to 21 September 2018.

For more information, visit the website: <https://www.nsw.gov.au/regional-growth-environment-and-tourism-fund/>

**Media:**  
**Scot MacDonald | 9230 2393**

**Subject:** Call / Meeting

**Date:** Monday, 25 November 2019 at 2:37:49 pm Australian Eastern Daylight Time

**From:** Bob Wheeldon

**To:** Gary White, Sandra Sinclair

Gary/Sandie

As Gary and I keep crossing calls I wonder if it is worth scheduling a call or meeting.

Now that you have considered the strategic context Northbank sits within I am hoping I could meet with you at some stage soon and go through the detail of all issues relating to the site (clearing/vegetation/bushfire/flooding etc) so you can consider Issue of the Gateway Authorisation.

If interested I can also provide feedback on the Draft LSPS which was made public in the Council Agenda.

Kind regards

Bob Wheeldon

Grand Junction

0411 222181

**Subject:** Northbank Gateway Matters

**Date:** Wednesday, 27 November 2019 at 1:33:49 pm Australian Eastern Daylight Time

**From:** Bob Wheeldon

**To:** Gary White, Monica Gibson, Sandra Sinclair

Monica and Gary

I wish to highlight three matters:

#### GATEWAY

As attached the Dept Planning is required to make a decision as to whether to let Northbank Planning Proposal through the Gateway and on what conditions (or indeed to vary the proposal).

The Department is not assessing the Planning Proposal - that comes later after any required studies are completed and community consultation has taken place. The Dept can decide if the later assessment is to be conducted by Council or the Department.

The Acting Secretary promised the Gateway Consideration by Gary 15 months ago and it is reasonable it be completed expeditiously.

#### ADDITIONAL STRATEGIC SUPPORT

Northbank is supported by the Draft Local Strategic Planning Statement in a number of ways:

Priority 1 (e) "Facilitate the development of new, innovative and compatible non-agricultural land uses and development, particularly tourism development, on or near productive agricultural land subject to not compromising the primary productive use of land for agriculture"

Priority 2 (b) "Consider ecotourism as a landuse to manage conflicts between horticulture activities and existing rural residential areas in Buronga"

Priority 2 (e) "Support tourism developments along the river that do not impact on the health and amenity of the river"

"Land to the East of Buronga Gol Gol settlement boundary provides separation between residential development and irrigated horticulture further east. The characteristics of the land (large area of relatively flat and unencumbered land with river frontage) together with the strategic location adjacent to the Buronga and Gol Gol growth area, make it a candidate site for a number of potential uses.....ecotourism and/or tourism uses such as cellar door and/or restaurant....recreation activities such as golf course"

#### DROUGHT

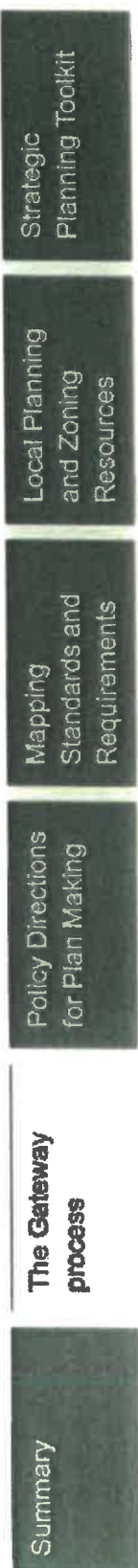
Northbank provides a diversification for the Wentworth economy from drought at a time when there is incredible hardship. Tourism can remain strong in dry times and is an excellent buffer. Continued delays in the Northbank Gateway are inconsistent with NSW Government policy to encourage local communities to diversify for drought resilience. Tourism is more sustainable than horticulture, mining, grazing or cropping.

I hope to discuss the attached with both of you over the next week or so.

Best  
Bob Wheeldon  
Grand Junction  
0411-222181



# The Gateway process



## What is the Gateway process?

Local Environment Plans (LEPs) start with a planning proposal for a development. In most cases this is done by your local council. Proposals are then assessed by us. This is called the 'Gateway' process.

### Steps in the process

#### The five steps in the process

1. The Planning Proposal – the planning proposal authority prepares the planning proposal. The planning proposal authority is usually the local council, however the Minister can appoint the Secretary of the Department of Planning and Environment, a regional planning panel or a Sydney planning panel to be the planning proposal authority.
2. Gateway – the Minister (or delegate) decides whether the planning proposal can proceed (with or without variation) and subject to other matters including further studies being undertaken, public consultation, public hearings, agency consultation and time frames. A planning proposal does usually not proceed without conditions of this nature. The conditions are then compiled with and if necessary, the proposal is changed. A decision on whether the relevant council is able to finalise particular types of LEPs is also determined at this stage.

3. Community Consultation – the proposal is publicly exhibited as required by the Minister. A person making a submission may also request a public hearing be held.

4. Assessment – the planning proposal authority reviews public submissions. Parliamentary Counsel then prepares a draft local environment plan.

5. The Making of the LEP – with the Minister's (or delegate's) approval the local environmental plan is published on the NSW legislation website and becomes law.

View [local planning and zoning resources](#) for plan making and tracking.

#### PEOPLE ALSO VIEWED:

- > [Local Planning and zoning](#)
- > [Contact Us](#)
- > [Western Sydney Aerotropolis](#)
- > [Exempt development](#)
- > [Complying development](#)

*Completed with Wentworth Shire in 2017.*

*eg. must be consistent with LSPS.*

*DoP not doing assessment now - just Gateway to allow assessment*