

Statement of Environmental Effects

5690 Sturt Highway Monak

December 2025

environmental planning & development specialists

www.jgconsult.com.au



James Golsworthy Consulting
140 Pine Avenue Mildura VIC 3500
PO Box 1650 Mildura VIC 3502
t 03 5022 8411
e admin@jgconsult.com.au

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Table of Contents

| | |
|---|----|
| Introduction | 4 |
| Proposal | 5 |
| Planning controls | 6 |
| Definition | 6 |
| Subdivision | 6 |
| Zoning | 6 |
| Additional mapping | 6 |
| Permitted or prohibited development | 8 |
| Principal development standards | 8 |
| Miscellaneous provisions | 8 |
| Additional local provisions | 8 |
| Wentworth DCP | 9 |
| State Environmental Planning Policies | 9 |
| Site and surrounding area | 10 |
| Subject site | 10 |
| Locality | 11 |
| Planning assessment | 12 |
| Wentworth LEP | 12 |
| Zone RU1 | 12 |
| Zone C2 | 12 |
| Minimum lot size | 12 |
| State Environmental Planning Policy | 12 |
| Wentworth DCP | 12 |
| Cultural Heritage | 14 |
| Conclusion | 15 |

List of Figures

| | |
|---|----|
| Figure 1 Location plan of the land, existing boundaries ... | 4 |
| | 4 |
| Figure 2 Proposed subdivision..... | 4 |
| Figure 3 Land Zoning Map sheet Land Zoning Map – Sheet LZN_002D | 6 |
| Figure 4 Natural Resource-Watercourse map – Sheet NWW_004 7 | 7 |
| Figure 5 Lot size Map – Sheet LSZ_004..... | 7 |
| | 7 |
| Figure 6 Natural Resource - Terrestrial Biodiversity map – NRB Sheet 004 | 7 |
| | 7 |
| Figure 7 Natural Resource – Wetland Map – NRW Sheet 004 7 | 7 |
| Figure 8 Aerial image of the site | 10 |
| Figure 9 Existing access from Sturt Highway..... | 10 |
| | 10 |
| Figure 10 Looking north from Sturt Highway | 10 |
| Figure 11 Locality plan | 11 |
| Figure 12 Subdivision layout..... | 13 |
| | 14 |
| Figure 13 AHIMS Search | 14 |



Introduction

Development approval is sought for a five (5) lot rural subdivision which also involves the creation of new vehicle access to the land from the Sturt Highway. The land is located at 5690 Sturt Highway, Monak, on land legally described as Lot 2 DP1280607. The land is part of a larger land holding known as 'Pine Park'. Pine Park supports a mixed farming enterprise with access existing from the Sturt Highway and close proximity to the Murray River. The site subject to the proposed subdivision is located immediately north of the Sturt Highway. The intended use of the land is for irrigated agricultural use, with raw water supply proposed to be provided to each of the five lots for which the relevant approvals are in place.

The land is currently partly zoned RU1 Primary Production and C2 Environmental Conservation.

The subdivision will result in the creation of five lots. Access to the land currently exists from Sturt Highway, however it is expected that with more intensive land use as a result of subdivision and irrigation, there will be increased traffic generation resulting from the subdivision. As such, a new access is proposed as part of the subdivision application and located to the immediate south of proposed lot 4. Existing access to the land is located to the west of proposed lot 1. Preliminary advice prepared by Tonkin Engineering is appended to support the proposed new access (see attached).

It is considered that the locality and size of the proposed lots are highly sought after, given their approvals for irrigation, soil type and proximity to the urban centres of Buronga, Gol Gol and Mildura.

It is considered that the subdivision is an appropriate response to the Wentworth LEP 2011, Wentworth DCP 2011, State Environmental Planning Policies and Environmental Planning and Assessment Act 1979.

As a result, the development application should be supported.



Figure 1 Location plan of the land, existing boundaries

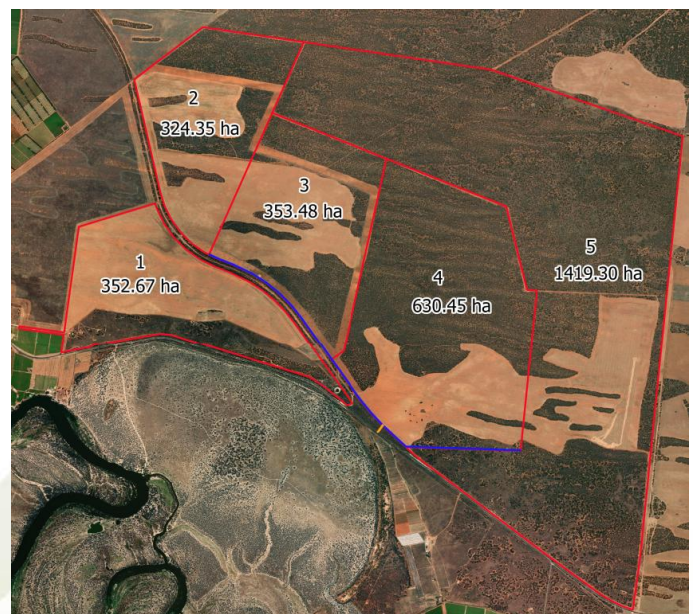


Figure 2 Proposed subdivision

Proposal

The application seeks development approval for a five lot rural subdivision. The land has a combined total area of 3080.25ha and is located to the north of the Sturt Highway at Monak.

The subdivision will create five lots varying in size from 352.67ha to 1419.3ha in area for intensive irrigated horticulture.

The purpose of the subdivision is to create lots of a more suitable size for intensive horticultural production within reasonable proximity to the local services of the Gol Gol and Buronga townships which are located approximately 14-18km from the land by road. The Gol Gol township provides local services such as post office, primary school and early childhood education, whilst the Midway Centre at Buronga provides supermarket, chemist and medical centre.

The Sturt Highway connects the towns of Euston and Robinvale with Mildura. Sturt Highway is classified by RMS as a state road and therefore managed by Department of Transport and Planning. A new access road is proposed as part of the development which will connect Lot 5 with the Sturt Highway. An internal carriageway easement is then proposed to service Lot 2, 3 and 5 from Lot 4, with Lot 1 utilising the existing access direct from Sturt Highway. Some native vegetation removal may be required which is dependent on final details of the new access.

Two combined works and water use approvals are in place under the *Water Management Act 2000* (WM Act) (see attachment). These approvals allow for irrigated agriculture within areas that have been cleared of native vegetation across all five proposed lots and the construction of two pump stations to provide irrigation water to these lots.

Applications for approximately 290 ha of native vegetation removal under NSW and Commonwealth legislation are currently being assessed. Following approval, applications to amend the existing water use approvals

under the WM Act will be made to increase the area approved for irrigated agriculture.

Part of the land is zoned C2, most of which is a conservation area. A small section of the C2 Zoned land to the western, southern and south-western edge is currently under assessment for rezoning with Wentworth Shire Council.

Subdivision of the land will enable lot areas which are more suitable to the development of horticultural crops in an economic manner. Development of the land for permanent plantings requires considerable capital expenditure and the proposed lot sizes have been determined to be attractive for the development for crops including table grapes, tree crops and citrus.

The proposed lot configuration is detailed in Table 2 below.

| Land | Area |
|-------|----------|
| Lot 1 | 352.67ha |
| Lot 2 | 324.35ha |
| Lot 3 | 353.48ha |
| Lot 4 | 630.45ha |
| Lot 5 | 1419.3ha |

Table 1 Proposed lot areas

Planning controls

Definition

Subdivision

Subdivision of land is defined at Part 6 Section 6.2 of the *Environmental Planning and Assessment Act* which defines subdivision as:

the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected:

- (a) *by conveyance, transfer or partition, or*
- (b) *by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.*

Zoning

In accordance with the *Wentworth LEP 2011* zoning maps the land is predominantly contained within the Zone RU1 Primary Production.

The objectives of the zone are:

- ♦ *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- ♦ *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- ♦ *To minimise the fragmentation and alienation of resource lands.*
- ♦ *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- ♦ *To encourage and promote the growth and diversification of economic and employment opportunities in agriculture, horticulture and tourism.*
- ♦ *To enable the development of restaurants and cafes and kiosks as part of agritourism development.*

The land to the north-east of the land holding (part proposed Lot 5) is zoned C2 Environmental Conservation.

The objectives of C2 zone are:

- ♦ *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- ♦ *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*



Figure 3 Land Zoning Map sheet Land Zoning Map – Sheet LZN_002D

Additional mapping

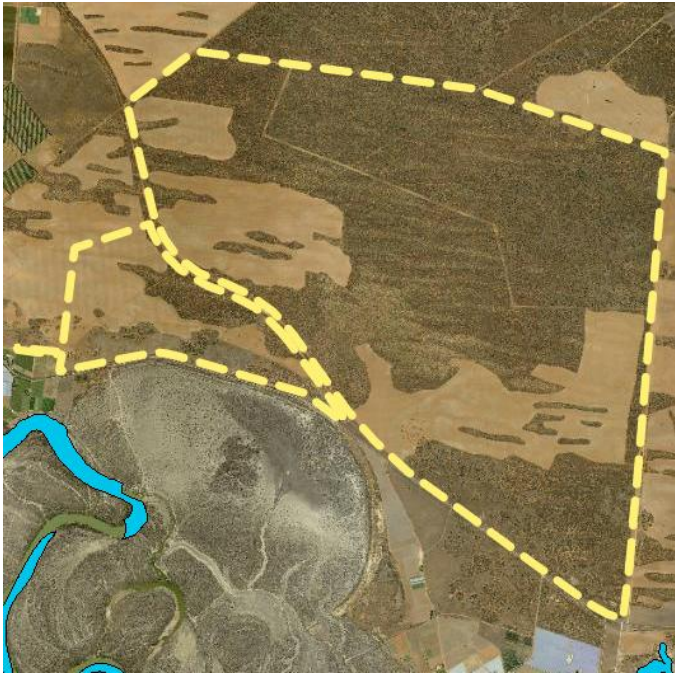


Figure 4 Natural Resource-Watercourse map – Sheet NWW_004



Figure 6 Natural Resource - Terrestrial Biodiversity map – NRB Sheet 004



Figure 5 Lot size Map – Sheet LSZ_004



Figure 7 Natural Resource – Wetland Map – NRW Sheet 004

Permitted or prohibited development

Clause 2.6 of the *LEP* requires that land may be subdivided but only with development consent.

Principal development standards

Clause 4.1 relates to the subdivision of land and the minimum subdivision size applicable. As per the *LEP* mapping, the subject land has a minimum lot size of 10,000ha. The proposed lots are less than 10,000ha in area.

Section 3 Clause 4.2 Rural Subdivision, allows for the following:

“Land in a zone to which this clause applies, may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.”

With Section 4 further adding:

“However, such a lot cannot be created if an existing dwelling would, as a result of the subdivision, be situated on the lot.”

The existing dwelling upon proposed Lot 1 whilst undesirable against the *LEP*, is not considered unreasonable in this instance when considering the potential opportunity for the building to be reclassified and a new use sought (ie worker accommodation). Subject to the outcome of this application a new Development Application may be lodged to address the future use of the dwelling.

Miscellaneous provisions

Clause 5.10 Heritage conservation (1) objective, is

- (a) to conserve the environmental heritage of Wentworth,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance

(2) Requirement for consent

Development consent is required for any of the following –

- (f) subdividing land –
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

An AHIMS search has been conducted (as attached) and no aboriginal sites are recorded in or near the selected location.

Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones (1) *The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).*

(3) *A consent authority must take into account the matters specified in a subclause (4) in determining whether to grant development consent to development on land to which this clause applies for either of the following purposes –*

- (a) subdivision of land proposed to be used for the purposes of a dwelling,
- (b) erection of a dwelling.

(4) *The following matters are to be taken into account –*

- (a) the existing uses and approved uses of land in the vicinity of the development,
- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,
- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

Additional local provisions

7.4 Terrestrial biodiversity has the objectives;

- (1) *The objective of this clause is to maintain terrestrial biodiversity by—*
 - (a) protecting native fauna and flora, and

- (b) *protecting the ecological processes necessary for their continued existence, and*
- (c) *encouraging the conservation and recovery of native fauna and flora and their habitats.*

There are particular areas of significant flora and fauna, however, the proposed subdivision will not affect the areas that have not been previously assessed and approved for vegetation removal.

7.5 Wetlands has the objective:

- (1) *to ensure that natural wetlands are preserved and protected from the impacts of development.*

The area specific to the Wetlands provision is outside the proposed land for subdivision.

7.7 Riparian land and Murray River and other watercourses – general principles has the following objective to protect and maintain the following;

- (a) *water quality within the Murray River and other watercourses,*
- (b) *the stability of the bed and banks of the Murray River and other watercourses,*
- (c) *aquatic riparian habitats,*
- (d) *ecological processes within the Murray River and other watercourses and riparian areas.*

The land specific to the subdivision is not located within the watercourse mapping and is not considered to have significant impact on the water quality, aquatic riparian habitats or ecological processes within the Murray River.

Wentworth DCP

Chapter 5 Rural Development Controls includes 5.1 Intensive Agriculture.

5.2 Subdivision specifically relates to the development of rural subdivision and the provision for dwellings. No dwellings are proposed as part of this application.

State Environmental Planning Policies

State Environmental Planning Policy (Transport & Infrastructure) 2021, Clause 2.119 Development with frontage to a classified road

- (1) *The objectives of this section area –*
- (a) *To ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) *To prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that –*
- (a) *Where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *The safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of –*
 - (i) *The design of the vehicular access to the land, or*
 - (ii) *The emission of smoke or dust from the development, or*
 - (iii) *The nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *The development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic or vehicle emissions within the site of the development arising from the adjacent classified road.*

Site and surrounding area

Subject site

The land is situated north of the Sturt Highway, approximately 14km by road from Gol Gol. Road access exists from Sturt Highway. The land is considered a greenfield development site, typically used for annual cereal crops (wheat, barley and legumes). A three-bedroom dwelling and implement sheds are located to the far south-western corner of the allotment. The farming elements outside of the specific site for subdivision, upon neighbouring properties includes grazing and horticulture (citrus and wine grapes).

The land is zoned RU1 Primary Production and the land is predominantly vacant, and whilst relatively flat in terrain, it is notably on higher ground with significant environmental constraints by way of C2 Environmental Conservation. Some minor native vegetation removal may be required to create the new access road from the Sturt Highway.

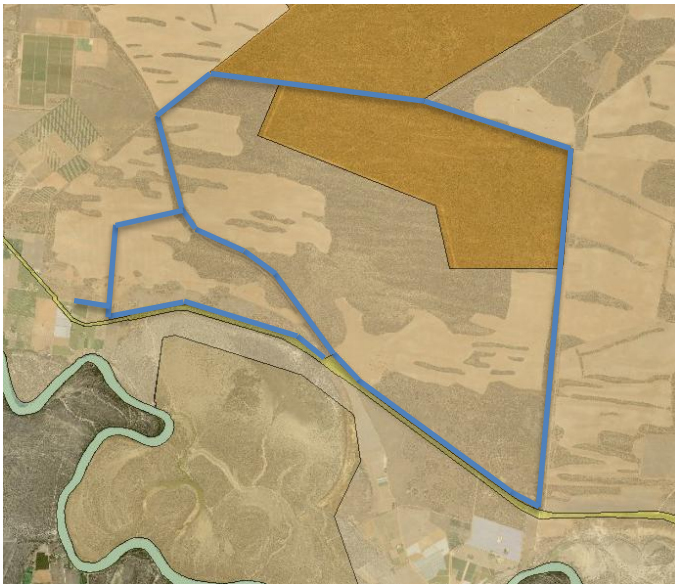


Figure 8 Aerial image of the site



Figure 9 Existing access from Sturt Highway



Figure 10 Looking north from Sturt Highway

Locality

The locality is part of a larger rural farm holding known as Pine Park. Land within the holding to the south of Sturt Highway is developed with wine grapes and citrus, and land to the west is also of horticultural nature. Further south of the Sturt Highway is the Murray River. A number of rural residential lifestyle dwellings exist within the area, along with smaller horticultural allotments containing dwellings.

Access exists via Sturt Highway with a new access proposed to assist with the expected increase in traffic due to the increase in number of lots. Refer to the Tonkin Preliminary Assessment as attached.

The land has notable natural features where the site of the proposed subdivision sits upon higher ground and predominantly of red loam sand dunes. The soil type is indicative of not having been affected by historic floodwater, while the low lying areas alongside the highway offer grey and clay based soil.

Native vegetation within the locality has been cleared historically to allow the land to be broad acre cropped. Some minor native vegetation removal may be required to create the new access road on the Sturt Highway.

Land to the east is considered to be grazing country, with heavy conservation areas and pockets of broad acre cropping.



Figure 11 Locality plan

Planning assessment

Wentworth LEP

Zone RU1

Overall the proposal is considered to be consistent with the policy direction of the LEP. In consideration of the objectives of Zone RU1 Primary Production within the LEP the following is noted:

- ♦ The subdivision is providing for newly created rural allotments capable of being developed for intensive agriculture, supported by the issue of Water Use Licence/s.
- ♦ The subdivision will support growth and diversification of economic and employment opportunities within the area, enabled through the smaller lot sizes and higher density farming practices.
- ♦ Fragmentation or alienation of land will not occur through the subdivision, with the existing dwelling able to be removed, in support of the future endeavours to continue farming the land, and no further dwellings proposed as part of this application.
- ♦ No conflict will occur through the subdivision and the zoning of adjoining land. All adjoining land is included in Zone RU1 with the exception to land to the north similarly zoned C2, and the purpose of the subdivision is to enhance farming practices within the area through higher density irrigated land.

Zone C2

The land zoned C2 will remain a conversation area and will not be subject to any farming practices.

Minimum lot size

The land is subject to a 10,000ha minimum lot size. Whilst not meeting the minimum lot size, the lots are generous in nature, offering a point of difference to the nearby holdings where a more intensive agricultural pursuit is being considered. Clause 4.2 allows for smaller lot sizes where no new dwelling is permissible.

No dwellings are proposed as part of the application, rather the smaller lot size is proposed purely to support more intensive farming practices via irrigated crops. The

existing dwelling upon proposed Lot 1 whilst not desirable in its current form under the LEP, is considered a valuable asset for ongoing employment and a separate application to alter the classification of the building may be pursued subject to the outcome of this application.

State Environmental Planning Policy

SEPP (Transport & Infrastructure) 2021, Clause 2.119 requires consideration that new development does not compromise the effective and ongoing operation and function of the Sturt Highway. As per the supporting plans, access to the land is proposed via a new access point to Lot 4 and an internal carriageway easement across Lot 4 to enable access to Lot 2, 3 and 5, minimising the potential impact the subdivision will have upon the classified road (Sturt Highway).

Native vegetation may need to be removed to create the new access however this will be determined upon assessment of the proposed new access by Transport for NSW.

Wentworth DCP

The DCP at Chapter 5 Rural Development Controls refers to the need to ensure intensive agriculture forms (horticulture, intensive livestock agriculture, turf farming and aquaculture) are conducted in a sustainable manner.

These Development Controls are addressed by assessments and reports that were prepared as part of the irrigation approvals process under the WM Act. These include:

- ♦ Soil survey and land capability assessment
- ♦ Irrigation and Drainage Management Plan
- ♦ Review of Environmental Factors
- ♦ Groundwater Impact Assessment

The subdivision is providing for newly created rural allotments capable of being developed for intensive agriculture, and will support growth and diversification of economic and employment opportunities

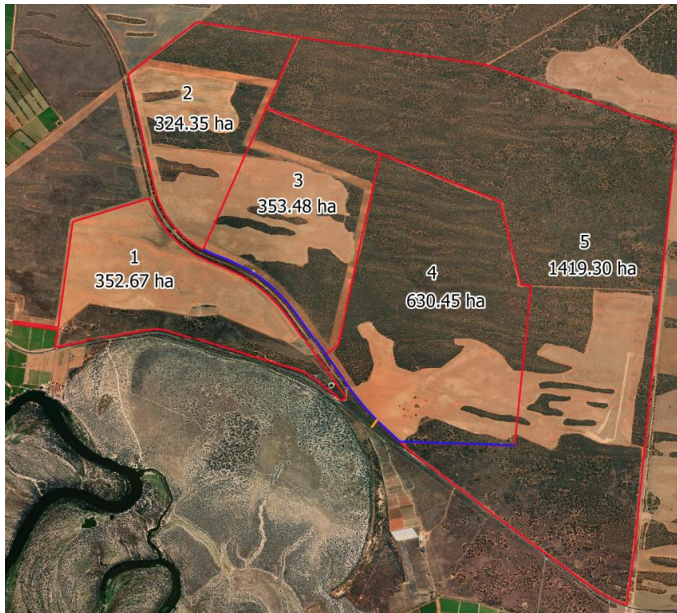


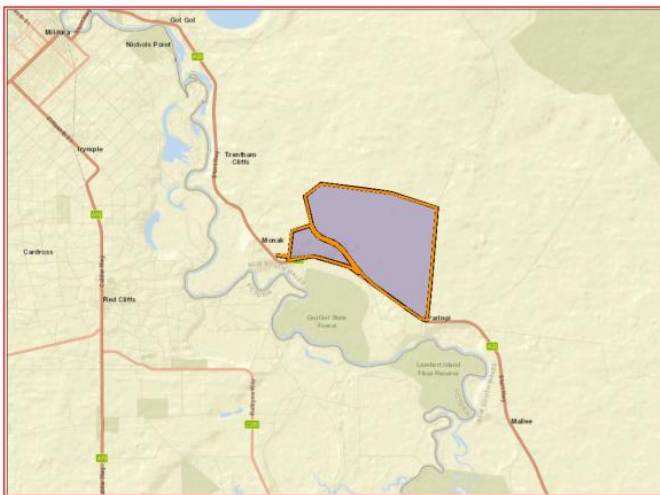
Figure 12 Subdivision layout



Cultural Heritage

The AHIMS search identified no sites of significance.

The subdivision is for the division of land and further approvals will be sought as necessary to address the potential to impact ground disturbance in the form of intensive agricultural practices.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

| | |
|---|---|
| 0 | Aboriginal sites are recorded in or near the above location. |
| 0 | Aboriginal places have been declared in or near the above location. * |

Figure 13 AHIMS Search

Conclusion

In conclusion, it is considered for reasons outlined above the development responds well to the opportunities and constraints of the site.

The subdivision will not have negative impacts upon the environmental values of the land or the immediate locality which cannot be managed.

Where possible, disturbance to environmental significance will be avoided. Approvals have been granted for previous vegetation removal enabling farming of the land that avoids areas of environmental significance.

The subdivision is consistent with the Wentworth LEP and associated supporting documents.

Existing Works and Water Use approvals allow for irrigated agriculture within areas that have been cleared or approved for clearing of native vegetation across all five proposed lots with the construction of two pump stations able to provide irrigation water to these lots.

The subdivision is therefore considered to be generally consistent with the LEP and the DCP and associated planning framework and should be supported through the issue of a development approval.



James Golsworthy Consulting

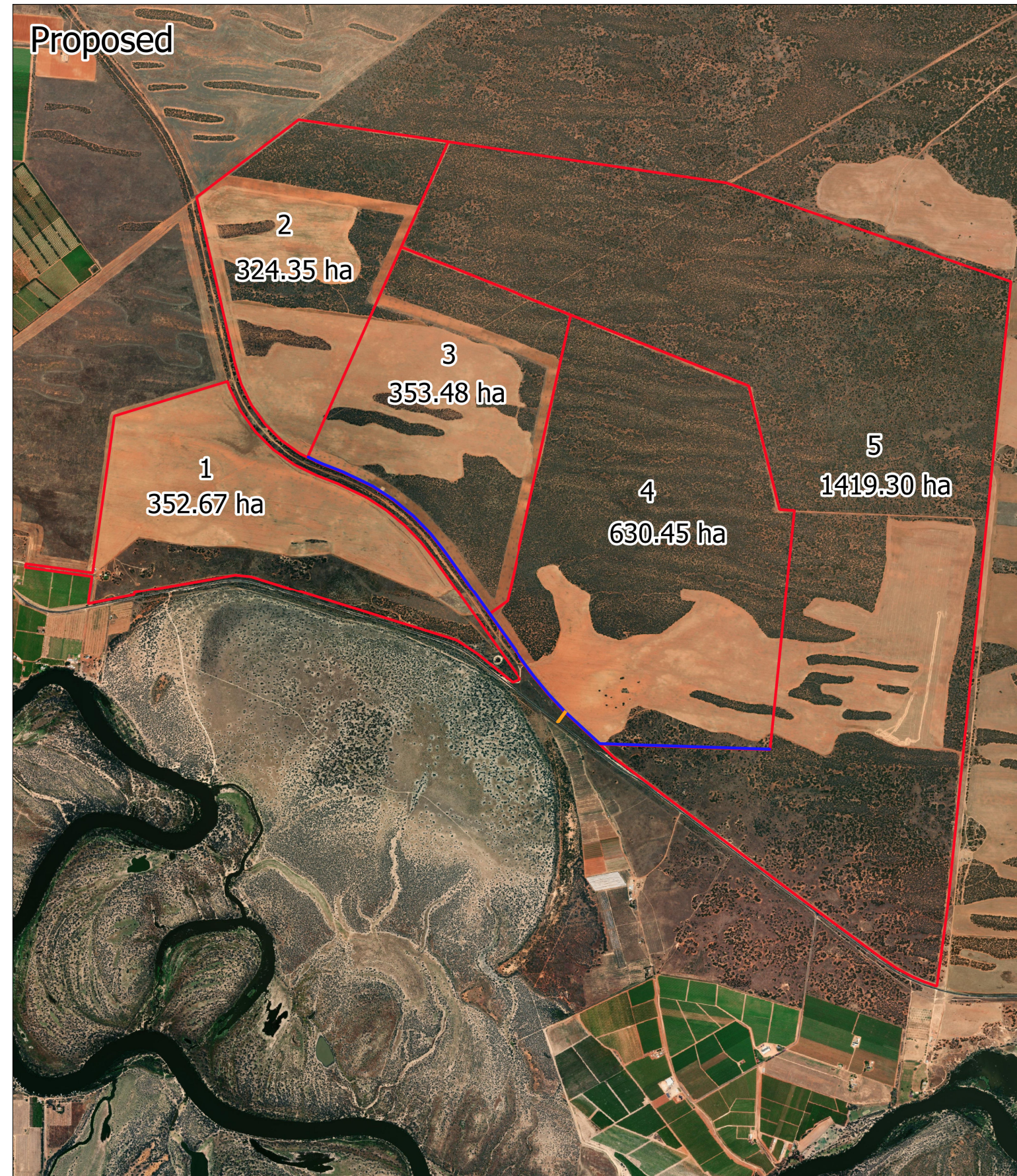
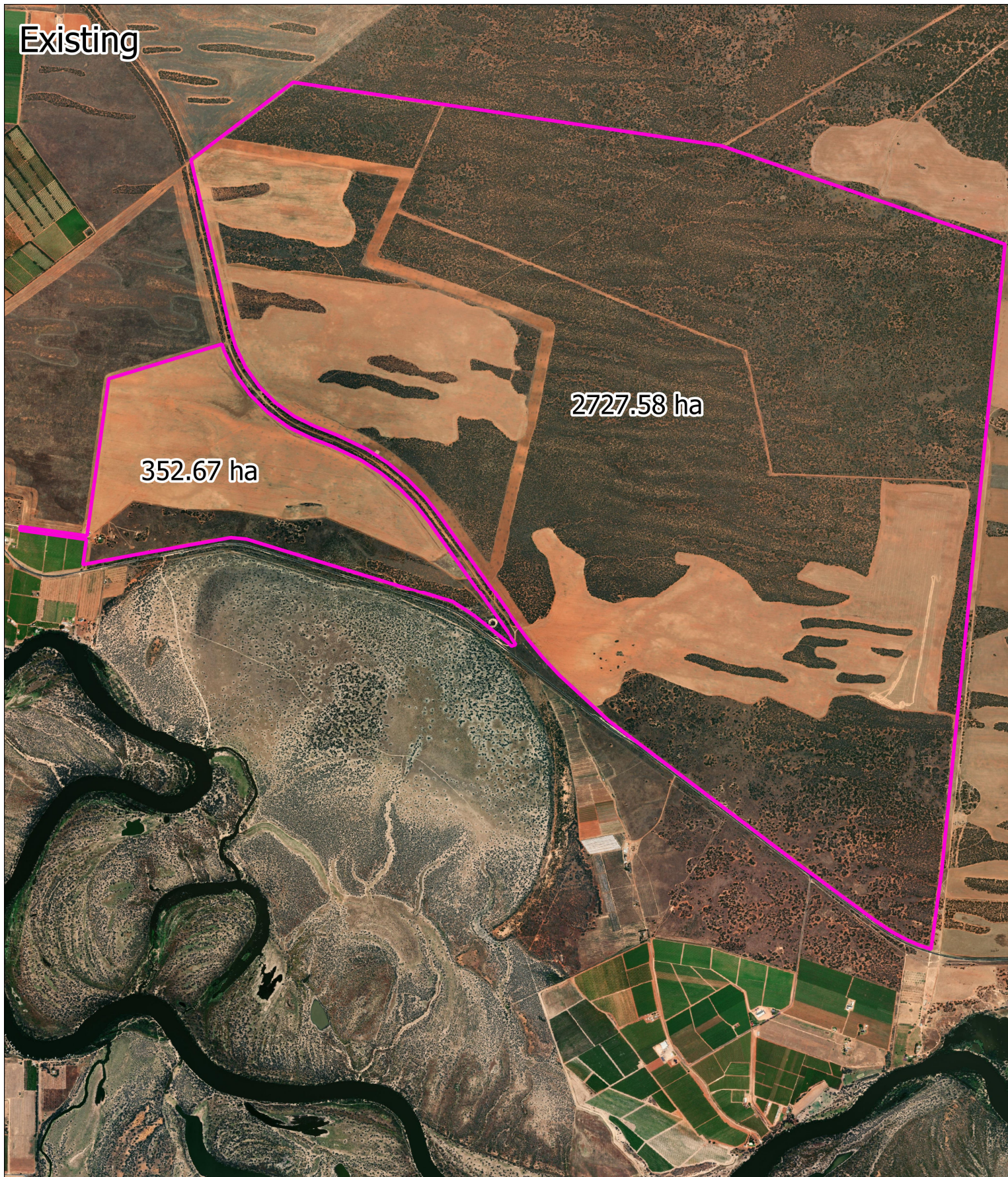
140 Pine Avenue Mildura VIC 3500
PO Box 1650 Mildura VIC 3502

telephone 03 5022 8411

email admin@jgconsult.com.au

www.jgconsult.com.au





pinion
ADVISORY

Proposed Plan of Subdivision

Client: Fortitude Business Consulting

Lot 2 DP1280607
5691 Sturt Hwy Monak NSW 2738

Job number: 25-064

Legend

- Proposed new access
 - Existing parcel (Lot 2 DP1280607)
 - Proposed subdivision
 - Proposed carriageway easement
- NOTE: Plan is not based on survey

Date: 02/12/2025

Version: 1

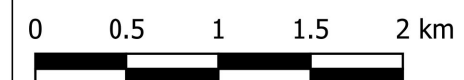
Drawn by: NF

Cadastre © NSW Spatial Services, 2025

Spatial grid datum and projection: GDA2020 / MGA zone 54

Imagery: ESRI World Imagery

While every effort has been made to ensure map accuracy, Pinion Advisory takes no responsibility for the spatial accuracy of information displayed on this map.



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