



Professor Mary O'Kane AC
Chair
Independent Planning Commission
Level 3, 201 Elizabeth Street
SYDNEY NSW 2000

Via email – ipcn@ipcn.nsw.gov.au

Dear Professor O'Kane

Request for Gateway determination review PP_2018_WENTW_001_00 – referral to Independent Planning Commission

I am writing to advise that the Department of Planning, Industry and Environment has received a request for a review of the Gateway determination for the above planning proposal. The proposal seeks to rezone approximately 693 hectares of land and removal of the minimum lot size to enable tourism and commercial uses, known as 'Northbank on the Murray'.

The proponent, Grand Junction Pty Ltd, is seeking a review of the Minister's delegate's decision to issue a Gateway determination for the proposal not to proceed. This decision was made because the planning proposal was considered:

1. Inconsistent with the strategic framework for the future of the Far West in particular:
 - a) Far West Regional Plan 2036 – Directions 12, 14, 15, 17 and 21.
 - b) SEPP (Rural Lands) 2008;
 - c) SEPP 44 – Koala Habitat;
 - d) SEPP 50 – Canal Estate Development;
 - e) SEPP 55 – Remediation of Land; and
 - f) Murray Regional Environmental Plan No. 2 – Riverine Land.
2. Inadequate information is provided to determine consistency with the Section 9.1 Directions – 1.1 Business and Industrial Zones, 1.5 Rural Zones, 1.5 Rural Lands, 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 4.3 Flood Prone Land, 4.4 Planning for Bushfire Protection and 5.10 Implementation of Regional Plans.

3. The potential for environmental, social and economic impacts are considered unacceptable.
4. The required site investigations have not been completed nor has the required detail been provided to support the proposal.

The Commission is requested to review the decision and prepare advice concerning the merits of the request. The advice should include a clear and concise recommendation confirming whether, in the Commission's opinion, the Department's decision should stand.

The advice and recommendation should be provided within 28 days of receipt of this letter and sent to Ms Jenna McNabb, Planning Officer in the Department's Western Region office at jenna.mcnabb@planning.nsw.gov.au.

I enclose the planning proposal, Gateway determination report, Gateway determination, proponent's review request and justification submission and a justification assessment report to assist the Commission in its review of the planning proposal.

The Department's *A guide to preparing local environmental plans* provides advice on procedures for the various stages of the independent review process. The guide is available on the Department's website at planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Resources.

Should you have any questions in relation to this matter, please contact Mr Damien Pfeiffer, Director Western Region on 5852 6811.

Yours sincerely



12.08.2020

Tim Hurst
Deputy Secretary, Local Government, Planning and Policy
Planning and Assessment

Encl: Planning proposal
Gateway determination report
Gateway determination
Proponent review application form request
Ethos Report with Proponent's review justification submission
Gateway review justification assessment report and attachments