



Mr Derek Francis
General Manager
Bogan Shire Council
PO Box 221
Nyngan NSW 2825

16/12252

Att: Ms Kayla Volker – Senior Development and Environment Officer

Dear Mr Francis,

Planning Proposal (PP_2014_BOGAN_001) – to amend the minimum lot size on land zoned RU1 Primary Production surrounding the township of Nyngan – Alteration of Gateway determination to not proceed.

I refer to the subject matter and Council's letter dated 13 September 2016 requesting that the planning proposal PP_2014_BOGAN_001 not proceed.

I have reviewed the information and the reasons Council has provided for requesting that the proposal not proceed. I have determined as delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 30 April 2014 for PP_2014_BOGAN_001 (as altered) to not proceed.

I commend Council for investigating the preparation of a Rural Residential Strategy in order to strategically assess the supply and demand for future rural residential living opportunities in the Bogan Shire local government area. I encourage Council to work with the Department to ensure the endorsement of the strategy.

Council should finalise the Flood Risk Management Study for the township Nyngan that was commenced as part of the planning proposal. Any future opportunities for rezoning rural land for residential development should be consistent with Council's strategy and flood studies.

If you have any question in relation to this matter, I have arranged for Deniz Kilic of the Western region office in Dubbo to assist you. Mr Kilic can be contacted on (02) 6841 2180.

Yours sincerely


Wayne Garnsey 6/10/2016
Acting Director Regions, Western
Planning Services

Encl. Alteration of Gateway determination, to not proceed



Alteration of Gateway Determination

Planning Proposal (Department Ref: PP_2014_BOGAN_001): to reduce the minimum lot size of 60 lots zoned RU1 Primary Production surrounding Nyngan.

I, the Acting Director Regions, Western at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 30 April 2014 (as since altered on 14 May 2015, 12 August 2015, 17 February 2016 and 27 July 2016) for the proposed amendment to the Bogan Local Environmental Plan 2011 as follows:

1. Change the description of the planning proposal to:

“...an amendment to the Bogan Local Environmental Plan (LEP) 2011 to reduce the minimum lot size of 60 lots surrounding Nyngan, currently zoned RU1 Primary Production, to various lot sizes ranging from 12,500sqm to 129ha should **not** proceed.”

2. Delete conditions 1 to 8.

Dated 6th day of October 2016


Wayne Garnsey
Acting Director Regions, Western
Planning Services

Delegate of the Minister for Planning