



Planning & Infrastructure

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

11/13264

Attention: Mr Ken Ross

Dear Mr Kozlowski,

I refer to your letter of 22 July 2011 concerning the Planning Proposal for land at Buronga, requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").

As delegate for the Minister for Planning and Infrastructure, I have now determined that the Planning Proposal should proceed subject to the conditions and variations in the attached Gateway Determination.

It has been identified that the Planning Proposal is inconsistent with the section 117 Ministerial Directions 1.2 Rural Lands and 3.3 Home Occupations. As an Officer nominated by the Director General, I am satisfied that the inconsistencies with 1.2 and 3.3 are justified. The environmental study justifies the inconsistencies with 1.2, and the inconsistency with 3.3 is of minor significance, as is the inclusion of part Lot 2 DP878007.

As State Government agency and community consultation has occurred as part of the draft Wentworth LEP 2011, I have also determined that the Planning Proposal may dispense with all conditions precedent up to section 59(1) of the EP & A Act. Accordingly, further community and government agency consultation is not required.

The Department will now draft and finalise the LEP by forwarding it to Parliamentary Counsel.

Should you have any further enquiries about this matter, I have arranged for Mr Tim Deverell, Team Leader - Dubbo Planning Team, of the Department of Planning and Infrastructure to assist you. Mr Deverell can be contacted on telephone number (02) 6841 2180.

Yours sincerely



15/8/11

Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal



Gateway Determination

Planning Proposal (Department Ref: PP_2011_WENTW_001_00): to rezone under the Wentworth Local Environmental Plan 1993, Lots 2 & 3 DP878007 and Lot 2 DP 1014681 Pitman Ave, Buronga comprising 31ha from part 1(a)(General Rural Zone) and part 1(d)(Future Urban Zone) to 2(v)(Village or Urban Zone) to enable residential and ancillary development.

I, the Deputy Director General, Plan Making and Urban Renewal, Department of Planning and Infrastructure, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 ("EP&A Act") that the Planning Proposal should proceed subject to the following variations and conditions:

1. A map is to be prepared which identifies the subject land as "urban release area". On this basis, the inclusion of a clause which enables the provisions of 'State Public Infrastructure' is required.
2. That the Planning Proposal may dispense with all conditions precedent up to section 59(1) of the EP & A Act. Accordingly, additional community and government agency consultation is not required.
3. 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).
4. The timeframe for completing the LEP is to be 3 months from the week following the Gateway Determination.

Dated

15th

day of

August

2011

**Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal
Department of Planning and
Infrastructure
Delegate of the Minister for
Planning and Infrastructure**