



Planning & Infrastructure

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Our ref: 11/15969
Your ref: DOC/11/10157

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

Attention: Mr Ken Ross

Dear Mr Kozlowski,

I refer to Council's letter of 31 August 2011 concerning the Planning Proposal Buronga-Gol Gol - Residual Area, 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.

The major variation is a requirement for the Planning Proposal to encompass the entire residual area of the Buronga - Gol Gol urban land release area as justified by the Local Environmental Study (LES) and draft Wentworth Strategic Framework Document for 'village' and 'industrial' purposes.

It has been identified that the Planning Proposal (as varied) is inconsistent with the section 117 Ministerial Directions 1.1 Business and Industrial Zones, 1.2 Rural Lands, 3.3 Home Occupations and 4.3 Flood Prone Land. As an Officer nominated by the Director General, I am satisfied that the inconsistencies with 1.1, 1.2, 3.3 and 4.3 are justified. The environmental study justifies the inconsistencies with 1.1 and 1.2, and the inconsistency with 3.3 and 4.3 are of minor significance.

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 amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. The Department will commence drafting the instrument immediately. The Western Region Regional Planning Team will remain your principal contact on this matter and will be able to advise on the progress of the draft LEP.

Should you have any further enquiries about this matter, I have arranged for Mr Tim Deverell, Plan Making and Urban Renewal - 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



12/9/11

Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal



Gateway Determination

Planning Proposal (Department Ref: PP_2011_WENTW_002_00): to rezone under the Wentworth Local Environmental Plan 1993, the residual land relating to the proposed Buronga – Gol Gol Urban Release Area comprising approximately 165ha from part 1(a)(General Rural Zone) and part 1(d)(Future Urban Zone) to 2(v)(Village or Urban Zone) to enable residential 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. That the Planning Proposal be varied to encompass the entire residual area of the proposed Buronga - Gol Gol urban land release area (approx. total 226ha – comprising 'village' (approx. 165ha) and 'industrial' (approx. 61ha) as shown on the attached map, and as justified by the Local Environmental Study (LES) and draft Wentworth Strategic Framework Document.
2. A map is to be prepared which identifies the subject land (as varied by this Determination) as "urban release area".
3. 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.
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 3 months from the week following the Gateway Determination.

Dated 12th day of September 2011

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