

10 August 2018

Re: IRF17/665

**Mr Damien Pfieffer**  
**Director Regions, Western**  
**Planning Services**  
**PO Box 58**  
**DUBBO NSW 2830**

**Dear Mr Pfieffer**

**Planning proposal (PP\_2017\_MRIVE\_002\_00) to amend Murray Local Environmental Plan 2011 – ‘Kooyong Park’, Moama**

Council reaffirms its request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal for land at the corner of Moama and Holmes Streets, Moama known as Kooyong Park (PP\_2017\_MRIVE\_002\_00). The planning proposal seeks to rezone land from RU1 Primary Production and E3 Environmental Management to R2 Low Density Residential, remove the minimum lot size provisions and insert a new listing into Schedule 1 Additional Permitted Uses for a restaurant and function centre and insert a site-specific clause requiring a development control plan for the site.

I am writing in response to your letter advising of the Department's initial review of the planning proposal and supporting material.

I advise that Council disagrees with the initial assessment based on the following: The rezoning of the land is not considered to be substantially different from government policy. There is no indication as to why approval of this application would establish a precedent that would undermine the comprehensive land use planning process being undertaken by council. It is noted this land was previously included in draft land use planning documentation in 2011 as a designated area for residential development as advised in the current proposal and supporting material. It is considered that while there is some land zoned for residential to the north and west, there is an increasing demand for land in all areas including the east of Moama. The Kooyong Park land is suitably strategically located to afford this expansion. The growth of Moama is continuing to exceed expectations and with current commercial expansions already under review it is possible that growth rates will escalate.

The suggestion that the planning proposal be deferred and considered when a comprehensive flood study is completed is seen as a delaying process. There is a Moama Flood study available now and there has been a detailed site specific flood study undertaken and provided as supporting material to the proposal that considered the whole of Moama Flood study. Initial advice from OEH on this study to the proponent was that the study met the requirements for consideration of the rezoning application.

Council has previously resolved to support the progression of the Gateway Determination and consequently would like the Department to continue the assessment and determination of the planning proposal based on the documentation and supporting information that has already been provided.

If you would like to discuss this matter further please contact Des Bilske on 0437 032 358.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Des Bilske', with a stylized, cursive script.

**Des Bilske**  
**General Manager**

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