



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2010_WINGE_001_00 (10/02520)
Your ref: 107/18 (Mark Pepping)

Mr Jason Gordon
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Dear Mr Gordon,

Re: Planning Proposal to regulate Hedge and Screen Plantings along Tourism Routes throughout Wingecarribee Shire

I am writing in response to your Council's letter dated 7 January 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Wingecarribee Local Environmental Plan 2009 to regulate Hedge and Screen Plantings along Tourism Routes throughout Wingecarribee Shire.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway Determination.

Should you have any queries in regard to this matter, please contact Ann Martin of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,

3/3/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

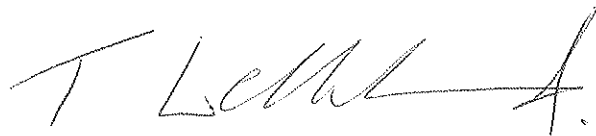
Gateway Determination

Planning Proposal (Department Ref: PP_2010_WINGE_001_00): to regulate Hedge and Screen Plantings along Tourism Routes throughout Wingecarribee Shire.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act in respect of the planning proposal to amend the Wingecarribee Local Environmental Plan 2009 to regulate Hedge and Screen Plantings along Tourism Routes throughout Wingecarribee Shire should not proceed for the following reasons:

1. It is uncertain whether the provisions of the EP&A Act allow for the control of the growing of hedges in the manner proposed in the Planning Proposal.
2. It is uncertain how such controls, if legally possible, could be regulated and administered.
3. The proposed control is inconsistent with the aims and objectives of the Standard Template LEP.

Dated 3rd day of March 2010.



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