



Mr Jason Gordon
General Manager
Wingecarribee Shire Council
PO Box 141
Moss Vale NSW 2577

Our ref: 12/19346-1
Your ref: 5901/15

Dear Mr Gordon

Subject: Planning Proposal to reclassify and rezone land at Eridge Park, Bowral

Thank you for Council's letter of 29 November 2012 submitting the Planning Proposal to reclassify and rezone Lot 5, DP 1087928, Eridge Park, Burradoo.

While I acknowledge that the Planning Proposal only relates to the reclassification and rezoning of the Eridge Park lands, it is part of a broader unsolicited proposal to Council covering multiple sites. The Department respectfully suggests that a broader understanding of all the elements of the unsolicited proposal is needed to give context to the Planning Proposal and that these elements cannot be considered in isolation.

Council's Planning Proposal and the attached Council Report of 13 June 2012 did not make reference to the role of the Division of Local Government. It did, however, attach advice from the proponents legal advisors, Sparke Helmore Lawyers (dated 23 April 2012), making reference to the need for Council to liaise with the Division of Local Government regarding the proposed land swap and consideration of the unsolicited proposal.

Prior to proceeding with processing your request for a Gateway Determination, I would appreciate further clarification on what, if any, role that the Division of Local Government may have in the wider proposal involving the land swap between Eridge Park and the Wongabri site.

I would also be grateful for your advice as to Council's intentions to give legal effect to the land swap identified in the Planning Proposal through a Voluntary Planning Agreement (VPA).

Section 93G of the *Environmental Planning and Assessment Act 1979* and clause 25D of the *Environmental Planning and Assessment Regulation 2000* provide for the public notification of planning agreements at the same time as the public notice of a relevant planning proposal. Given the complexity of the broader proposal and the potential for a VPA to play a significant role in the land swap, the role and outline of a future VPA may be an appropriate consideration to the issue of a Gateway Determination.

If you have any questions regarding this letter, please feel free to contact me on 4224 9450.

Yours sincerely

7 December 2012

Brett Whitworth
**Regional Director
Southern Region**

cc. Ross Woodward, CEO, Department of Local Government



Our ref: 12/19346-1
Your ref: 5901/15

Mr Ross Woodward
Chief Executive
Division of Local Government
Locked Bag 3015
Nowra NSW 2541

Dear Mr Woodward

Subject: Planning Proposal to reclassify and rezone land at Eridge Park, Bowral

Please find attached correspondence provided to Wingecarribee Shire Council concerning a Planning Proposal for lands at Eridge Park in Bowral.

The Planning Proposal has arisen from a unsolicited proposal to the Council involving a land swap of Council lands at Eridge Park for the construction of recreation facilities and the dedication of lands at Wongabri (between Bowral and Moss Vale) and the upgrade of the existing aquatic centre at Mittagong.

If your Administration has any questions regarding this issue, please feel free to contact me on 4224 9450.

Yours Sincerely

Brett Whitworth
**Regional Director
Southern Region**

7 December 2012