



Hon Tony Kelly MLC
Minister for Planning
Minister for Infrastructure
Minister for Lands
Deputy Leader of the Government in the Legislative Council
Leader of the House in the Legislative Council

COPY

Mr Paul Anderson
General Manager
Eurobodalla Shire Council
PO Box 99
Moruya NSW 2537

10/18026

Dear Mr Anderson

I am writing in response to Council's letter dated 2 August 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 Eurobodalla Local Environmental Plan to allow an additional 90 residential dwellings on the site known as the Oaks Ranch, Old Mossy Point Rd, Mossy Point.

As the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway Determination. The NSW Government has consistently identified that it does not support the location of permanent residential development in isolated locations in order to support tourism development.

I note that the tourism and golf course elements of the proposed development are already permissible on the site under its current zoning. I would be happy for Council to discuss with the Department of Planning any other planning approaches to enable the proposed development to occur without the need to approve permanent residential development.

Should you have any further enquiries about this matter, please contact Brett Whitworth, Regional Director, Southern Region, of the Department of Planning on (02) 4224 9455.

Yours sincerely,

Tony Kelly MLC
Minister for Planning

- 6 OCT 2010



Planning

Gateway Determination

Planning Proposal (Department Ref: PP_2010_EUROB_001_00): to allow an additional 90 permanent residential dwellings on the site known as 'The Oaks Ranch'.

I, the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to amend the Eurobodalla Rural Local Environmental Plan 1987 to allow an additional 90 permanent residential dwellings on the site known as the Oaks Ranch, Mossy Point should not proceed for the following reasons:

1. The proposal is inconsistent with both Eurobodalla Shire Council's and Department of Planning's strategic planning, namely the Eurobodalla Settlement Strategy and the South Coast Regional Strategy.
2. The site is an inappropriate location for urban residential development densities being isolated from basic social and retail services.
3. It has not been demonstrated that the associated tourist development requires the proposed permanent residential development. Moreover, if the proposed tourist development is to be sustainable it should not rely on permanent residential development.

Dated day of 2010
- 6 OCT 2010

Tony Kelly MP
Minister for Planning