

Gateway Determination

Planning proposal (Department Ref: PP-2021-6509): to amend rural land planning controls and other provisions in the Wentworth Local Environmental Plan 2011

I, the Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wentworth Local Environmental Plan (LEP) 2011 for amendments to RU1 land use table, Part 4 Principal development standards, Part 5 Miscellaneous Provisions, and Schedule 1 Additional Permitted Uses should proceed subject to the following conditions:

1. Prior to community consultation, a revised planning proposal is to be submitted that includes the following:
 - a. proposed revisions to the RU1 Primary Production land use table objectives and land uses permitted with consent;
 - b. the additional considerations and justifications for certain land uses proposed to be included in the RU1 Primary Production land use table as outlined in the further information provided by Council on 12 January 2022 and 1 February 2022;
 - c. supporting information on the intent and purpose of the proposed LEP changes as an aid to drafting; and
 - d. an updated Project Timeline.

Council is to seek the approval of the Department of Planning and Environment – Western Region office prior to undertaking community consultation.

2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Stage 6 of Local Environmental Plan Making Guideline December 2021
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).

4. Consultation is required with the Department of Primary Industries – Agriculture under section 3.34(2)(d) of the Act. Department of Primary Industries – Agriculture is to be provided with a copy of the revised planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 11th day of February 2022.



Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning and
Environment

Delegate of the Minister for Planning