

Mr Ken Ross
General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648

Attention: Michele Bos, Strategic Development Officer

Dear Mr Ross

Planning proposal PP-2022-716 to amend Wentworth Local Environmental Plan 2011 for Thegoa Lagoon Reserve, Lagoon Road, Wentworth

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone Thegoa Lagoon Reserve from RU1 Primary Production and RU5 Village to C2 Environmental Conservation zone.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

The Department supports the intent of the planning proposal. There is strategic merit for the rezoning of Thegoa Lagoon Reserve to facilitate improved protection of the site's high environmental and cultural heritage values. However, additional information is required to support the planning proposal prior to community and agency consultation. Please refer to condition 1 of the Gateway determination as well as the information contained in the supporting Gateway determination report.

It is advised that the inconsistency with section 9.1 – 6.1 Residential Zones has been determined to be minor and no further work is required.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within nine (9) months of Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The relevant Department of Planning and Environment team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Meredith McIntyre to assist you. Ms McIntyre can be contacted on 02 6229 7912.

Yours sincerely



4 April 2022

Wayne Garnsey
Acting Director, Western Region
Local and Regional Planning

Encl: Gateway determination