

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

Our ref: PP-2023-592/IRF23/1030

Dear Mr Ross

**Planning Proposal (PP-2023-592) to amend Wentworth Local Environmental Plan 2011-rezoning land from RU4 Primary Production Small Lots to part RU5 Village and part SP2 Special Infrastructure and remove minimum lot size provision at Lot 108 DP 756946, 191 Pitman Avenue, Buronga.**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 26 April 2023 in respect of the planning proposal to rezone land from RU4 Primary Production Small Lots to part RU5 Village and part SP2 Special Infrastructure and remove minimum lot size provision at Lot 108 DP 756946, 191 Pitman Avenue, Buronga.

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

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act (3.1 Conservation Zones, 4.4 Remediation of Land, 9.1 Rural Zones, and 9.2 Rural Lands). Council should ensure this occurs prior to the LEP being made.

Council is to update the planning proposal as outlined in Condition 1 of the enclosed Gateway determination and to satisfy this condition, Council must submit the updated planning proposal to the Minister for confirmation prior to proceeding to public exhibition.

Considering the nature of the planning proposal I have determined that Council may not exercise local plan-making authority functions in relation to the planning proposal due to Council having an interest in the land. However, this may be reviewed upon the satisfaction of Condition 1 of the Gateway determination.

The amending local environmental plan (LEP) is to be finalised on or before six (6) months from the Gateway determination date. 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](mailto: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 and this should be done eight (8) weeks prior to the finalisation date.

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, 2022) 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 Rebecca Martin to assist you. Ms Martin can be contacted on 58526810.

Yours sincerely



**28 June 2023**

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination