

Gateway Determination

Planning proposal (Department Ref: PP-2023-592): rezone land from zone RU4 Primary Production Small Lots to part RU5 Village and part SP2 Special Infrastructure and remove minimum lot size provision at 191 Pitman Avenue, Buronga

I, the Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, 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 2011 to rezone land from zone 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 should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - a) Reflect current zoning of subject site as RU4 Primary Production Small Lots
 - b) Include the adjoining road reserve within the subject land to be rezoned
 - c) Investigate and document alternative mechanisms to achieve the intended outcomes in consultation with DPI Agriculture
 - d) Consider the impacts of land uses that may result from the preferred mechanism ie. the types of permissible development and scale that may result from a zone change and no minimum lot size
 - e) Include consideration of land use conflict with C2 Environmental Conservation and RU4 Primary Production Small Lots land adjoining the subject site, including proposed site specific DCP provisions to manage the conflict
 - f) Given the potential for contamination on site, a preliminary contamination assessment is required to be undertaken.

To satisfy Condition 1, the updated planning proposal is required to be submitted to the Minister for confirmation prior to proceeding to public exhibition.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).
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. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.
5. The LEP should be completed within six (6) months from the date of the Gateway determination.

Dated 28 day of June 2023.

A handwritten signature in black ink, appearing to read 'G. P. Hopkins', with a stylized, cursive script.

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

Delegate of the Minister for Planning and
Public Spaces