

Gateway Determination

Planning proposal (Department Ref: PP-2023-848): rezone land from zone RU5 Village to E1 Local Centre and SP2 Infrastructure – water supply systems at Buronga Gol Gol.

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 at Buronga Gol Gol to E1 Local Centre and SP2 Infrastructure should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) confirm and clearly identify the extent of the land to be rezoned.
 - (b) given the potential contamination on the land, include a preliminary contamination investigation to satisfy Council that the subject land is suitable or can be made suitable for the future land uses.
 - (c) accurately represent the flood attributes of the land and consider need for any additional controls for sensitive land uses.
 - (d) as the planning proposal is changing permissibility, advise of any existing development applications within the subject land that will be affected by the proposed amendments.
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. Consultation is required with Transport for NSW under section 3.34(2)(d) of the Act. Transport for NSW is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 days to comment on the proposal.
4. 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).
5. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - c. there are no outstanding written objections from public authorities.
6. The LEP should be completed within nine (9) months from the date of the Gateway determination.

Dated 15 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