



Gateway Determination

Planning proposal (Department Ref: PP_2018_WENTW_001_00): to rezone land at 6811 Sturt Highway, Mallee (Lot 1 DP 1182353) to facilitate tourism and commercial uses.

I, the Deputy Secretary, Planning Services 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 to rezone land at 6811 Sturt Highway, Mallee (Lot 1 DP 1182353) to facilitate tourism and commercial uses should not proceed for the following reasons:

1. Inconsistency with the strategic framework for the future of the Far West in particular:
 - a. Far West Regional Plan 2036 - Directions 12, 14, 15, 17 and 21.
 - b. SEPP (Rural Lands) 2008;
 - c. SEPP 44 – Koala Habitat;
 - d. SEPP 50 – Canal Estate Development;
 - e. SEPP 55 – Remediation of Land; and
 - f. Murray Regional Environmental Plan No. 2- Riverine Land.
2. Inadequate information is provided to determine consistency with the Section 9.1 Directions – 1.1 Business and Industrial Zones, 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 4.3 Flood Prone Land, 4.4 Planning for Bushfire Protection and 5.10 Implementation of Regional Plans.
3. The potential for environmental, social and economic impacts are considered unacceptable.
4. The required site investigations have not been completed nor has the required detail been provided to support the proposal.

Dated 28th day of May 2018.


Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning



Mr Peter Kozlowski
General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648

Dear Mr Kozlowski

Planning Proposal PP_2018_WENTW_001_00 to amend Wentworth Local Environmental Plan 2011

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 land at 6811 Sturt Highway, Mallee (Lot 1 DP 1182353) to facilitate tourism and commercial uses.

As delegate of the Minister for Planning, I have now determined the planning proposal should not proceed for the reasons outlined in the attached Gateway determination.

I recognise the expansion of tourism opportunities in the Far West is promoted throughout a number of State, regional and local documents. As tourism opportunities assist in employment and business growth, Council is encouraged to strategically assess the need for a proposal of this scale. If this type of proposal is supported it should be incorporated into the strategic planning framework to ensure sustainable and design led outcomes.

In July 2017, the Department of Planning and Environment advised that the planning proposal did not provide adequate justification on potential social, economic, environmental and servicing implications to proceed. It was requested further detailed information should be undertaken prior and a revised planning proposal be prepared. The Department has not received any additional information or a revised planning proposal.

A planning proposal which is submitted for a Gateway determination must provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan making process. The level of detail required in a planning proposal should be proportionate to the complexity of the proposed amendment. The planning proposal in its current form does not contain enough information to identify relevant environmental, social, economic and other site considerations.

The Department has prepared, *A guide to preparing planning proposals*, which provides guidance and information on the process for preparing planning proposals.

This document may assist Council in determining the level of information required to accompany applications.

Should you have any further enquiries about this matter, I have arranged for Ms Tamara Prentice to assist you. Ms Prentice can be contacted on (02) 6641 6610.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

Encl: Gateway Determination
28/01/2018