

Gateway Determination

Planning proposal (Department Ref: PP-2024-798): to list a local heritage item in the Wentworth Local Environmental Plan (LEP) 2011.


I, the Acting Director, Southern, Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, 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 add an item to Part 1 Schedule 5 should proceed subject to the following:

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to include relevant heritage mapping that reflects the current and proposed planning controls as part of the planning proposal.
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 basic as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 10 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, August 2023).
3. Consultation is required with NSW Rural Fire Service (RFS) under section 3.34(2)(d) of the Act. RFS is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working 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 on or before 19 February 2025.

Dated 22 August 2024

A handwritten signature in black ink, appearing to read 'Chantelle Chow', with a long horizontal flourish extending to the right.

Chantelle Chow
Acting Director, Southern, Western
and Macarthur Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning
and Public Spaces