



## Gateway Determination

**Planning proposal (Department Ref: PP-2021-2841):** to increase height of buildings from 16m to 25m at Lot 1 DP 1028542, 63-65 Johnston Street, Wagga Wagga

I, the Director, Western Region at the Department of Planning, Industry 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 Wagga Wagga Local Environmental Plan (LEP) 2010 to increase height of buildings from 16m to 25m at Lot 1 DP 1028542, 63-65 Johnston Street, Wagga Wagga should proceed subject to the following conditions:

1. Prior to public exhibition Council is to update the planning proposal to provide discussion on the alternative means of achieving the planning proposal objective and justification why the approach selected has been preferred.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
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. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
5. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 30<sup>th</sup> day of April 2021.

A handwritten signature in black ink, appearing to read 'G. Hopkins', written in a cursive style.

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

**Delegate of the Minister for Planning**  
**and Public Spaces**