

Gateway Determination

Planning proposal (Department Ref: PP-2022- 2845): *Amendment to Wagga Wagga Local Environmental Plan 2010 – part of 20 Hely Avenue and part of 121 Fernleigh Street, Turvey Park, Wagga Wagga*

I, the Director, Western Region, 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 *Wagga Wagga Local Environmental Plan 2010* to change the zone for part of 20 Hely Avenue and part of 121 Fernleigh St, Turvey Park to zone R1 General Residential should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal to-
 - Update the Project Timeframe to ensure the plan is finalised within six (6) months
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 Guidelines* (Department of Planning and Environment, 2022) and 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 *Local Environmental Plan Making Guidelines* (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. 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; and
 - (b) The planning proposal remains 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.

The LEP should be completed within 6 months of the date of the Gateway determination.

Dated 14th day of October 2022.

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