

## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_WAGGA\_008\_00):** to rezone land from RU1 Primary Production to R5 Large Lot Residential and reduce the minimum lot size from 2 hectares to 4000 square metres (130 homes).

I, the Director, Southern 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 2010 (LEP) to rezone land from RU1 Primary Production to R5 Large Lot Residential and reduce the minimum lot size from 2 hectares to 4000 square metres (130 homes) should proceed subject to the following conditions:

1. Prior to community consultation amend the planning proposal to include Lot 13 DP 1113455 west of the subject land.
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, Industry and Environment, 2018).
3. Consultation is required with the Department of Planning, Industry and Environment – Biodiversity Conservation Division (Floodplain Management) under section 3.34(2)(d) of the Act. The Department of Planning, Industry and Environment – Biodiversity Conservation Division (Floodplain Management) is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 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 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.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 30<sup>th</sup> day of September 2019.



**Sarah Lees**  
**Director, Southern Region**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

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



Mr Peter Thompson  
General Manager  
Wagga Wagga City Council  
PO Box 20  
WAGGA WAGGA NSW 2650

Dear Peter

**Planning proposal PP\_2019\_WAGGA\_008\_00 to amend Wagga Wagga Local Environmental Plan 2010 – Alteration of Gateway Determination**

I refer to your letter in relation to PP\_2019\_WAGGA\_008\_00 seeking an extension of time to complete the planning proposal for to rezone land from RU1 Primary Production to R5 Large Lot Residential and reduce the minimum lot size from 2 hectares to 4000 square metres (130 homes) at Lake Albert.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 30 September 2019 for PP\_2019\_WAGGA\_008\_00. The Alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Ms McIntyre can be contacted on 6229 7912.

Yours sincerely

10.6.20

**Damien Pfeiffer**  
**Director, Regions Western**  
**Local and Regional Planning**

Encl: Alteration of Gateway Determination