

Alteration of Gateway determination GA-2022-51 for planning proposal PP-2021-608

Purpose: To recommend the Acting Director, as delegate of the Minister, agree to alter the Gateway determination for planning proposal PP_2019_SMONA_001_00 (PP-2021-608) to not proceed.

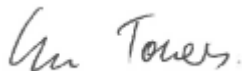
Analysis: A Gateway determination was issued on 8 May 2019 for the planning proposal, which seeks to rezone Lot 32 DP 1118132 Barry Way, Jindabyne, known as Highview, from RU1 Primary Production to R2 Low Density to provide for 14 dwelling lots. The planning proposal is no longer required because the subject lots are proposed to be rezoned R1 General Residential through the Jindabyne State Activation Precinct (SAP) finalisation process. Council has agreed that the planning proposal is no longer required. The discontinuation of the planning proposal is considered to have merit and an alteration to the Gateway determination has been prepared.

Recommendation

That the Director, as delegate of the Minister:

1. **agree** under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination for planning proposal no. PP-2021-608 to not proceed in accordance with the Alteration of Gateway determination document (**Attachment A**);
2. **sign** the Alteration of Gateway determination (**Attachment A**); and
3. **sign** the letter to Snowy Monaro Regional Council (**Attachment B**).

Acting Director approval



Approved

Graham Towers

Acting Director, Southern Region

Date: 8/4/22

Key reasons

Planning proposal

Snowy Monaro Regional Council has prepared a planning proposal to rezone Lot 32 DP 1118132 Barry Way, Jindabyne, known as Highview, from RU1 Primary Production to R2 Low Density to provide for 14 dwelling lots PP_2019_SMONA_001_00 (PP-2021-608).

The Gateway determination issued on 8 May 2019 (**Attachment C**) determined that the proposal should proceed subject to conditions.

Council requested an amended Gateway determination in 2020 which was rejected on the basis that the Jindabyne SAP process was still in effect, and more certainty was required prior to any Amended Gateway determination being issued. (**Attachment D**).

Consideration

The SAP team advised Council and Southern Region that the Planning Proposal for Highview is no longer required on the basis that the lots in question will be rezoned R1 General Residential through the SAP finalisation process making the planning proposal no longer the only means for which the subject lot can be rezoned.

Council is aware of and has been involved in the SAP process and the planning proposal has been on hold while a final decision on the best means to rezone the subject lots was made. Council has agreed that the planning proposal is no longer required (Attachment E).

Attachments

Attachment	Title
A	Alteration of Gateway determination
B	Letter to Council
C	Gateway determination
D	Letter to Council re Previous Gateway determination alterations
E	Email from Council re SAP team sites in Jindabyne

Departmental approval and contact

Approver	Position	Date approved
Graham Towers	Acting Director, Southern Region	8/4/22
Contact name	Position	Phone number
Ann Martin	Planning Officer	42471826