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Our ref: PP_2011_WAGGA_003_00 (11/21022-1)
Your ref:

Mr Phil Pinyon
General Manager
Wagga Wagga City Council
PO Box 20
WAGGA WAGGA NSW 2650

Dear Phil,

Re: Planning Proposal to insert a new land use table for the B5 Business development Zone into the LEP and rezone land along Dobney Avenue and Pearson Street, Wagga Wagga from IN2 Light Industrial to B5 Business Development.

I am writing in response to your Council's letter dated 24 November 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Wagga Wagga Local Environmental Plan 2010 to insert a new land use table for the B5 Business Development Zone into the LEP and rezone land along Dobney Avenue and Pearson Street, Wagga Wagga from IN2 Light Industrial to B5 Business Development.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal in early 2012. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Graham Judge of the Regional Office of the Department on 02 6229 7900.

Yours sincerely,

 22.12.11
Giovanni Cirillo
Acting Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_WAGGA_003_00): to insert a new land use table for the B5 Business Development Zone into the LEP and rezone land along Dobney Avenue and Pearson Street, Wagga Wagga from IN2 Light Industrial to B5 Business Development.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Wagga Wagga Local Environmental Plan 2010 to insert a new land use table for the B5 Business Development Zone into the LEP and rezone land along Dobney Avenue and Pearson Street, Wagga Wagga from IN2 Light Industrial to B5 Business Development should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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 timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 22 day of December 2011.



Giovanni Cirillo
Acting Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning and
Infrastructure