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Our ref: PP_2012_WAGGA_003_00 (12/07113)

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

Dear Mr Pinyon,

Planning proposal to amend controls and zoning for land within the Lloyd Urban Release Area and at Bakers Lane, Tatton, Bourkelands, Estella and Boorooma

I am writing in response to your Council's letter dated 4 April 2012 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 by making the following changes:

- To amend the minimum lot size for land at Bakers Lane from 8ha to 2ha;
- To rezone land within the Lloyd Release Area from E2 Environmental Conservation zone to E4 Environmental Living zone and amend the minimum lot size from 200ha to 1ha;
- To adjust the boundary of land within the Lloyd Urban Release Area between land zoned E2 Environmental Conservation, R1 General Residential and RU1 Primary Production, by amending the Land Zoning map, the Minimum Lot Size map and the Urban Release Area map;
- To rezone land at Tatton, Bourkelands, Estella and Boorooma from B1 Neighbourhood Centre to B2 Local Centre; and
- To adjust zone boundaries within the Boorooma East neighbourhood by rezoning land from R1 General residential to B2 Local Centre.

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.

It is noted that certain land subject to the planning proposal adjoins the Wiradjuri Walking track, which is managed by the Catchments and Lands Division of the Department of Primary Industries. Therefore, Council is to consult with the public authority in relation to this matter taking into account any comments made and amend the planning proposal, if necessary.

I have also agreed that the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 2.1 Environment Protection Zones are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the planning proposal after consultation with the public authorities listed in the Gateway Determination. 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,


Sam Haddad
Director-General

15/5/2012

Gateway Determination

Planning Proposal (Department Ref: PP_2012_WAGGA_003_00: to amend controls and zoning for land within the Lloyd Urban Release Area and at Bakers Lane, Tatton, Bourkelands, Estella and Boorooma

I, the Director General, Department of Planning and Infrastructure 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:

- amend the minimum lot size for land at Bakers Lane from 8ha to 2ha;
- rezone land within the Lloyd Release Area from E2 Environmental Conservation zone to E4 Environmental Living zone and amend the minimum lot size from 200ha to 1ha;
- adjust the boundary of land within the Lloyd Urban Release Area between land zoned E2 Environmental Conservation, R1 General Residential and RU1 Primary Production, by amending the Land Zoning map, the Minimum Lot Size map and the Urban Release Area map;
- rezone land at Tatton, Bourkelands, Estella and Boorooma from B1 Neighbourhood Centre to B2 Local Centre; and
- adjust zone boundaries within the Boorooma East neighbourhood by rezoning land from R1 General residential to B2 Local Centre

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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - Crown Lands

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

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).



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4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 15th day of May 2012.

SHaddad

Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure