

Gateway Determination

Planning proposal (Department Ref: PP_2019_LEETO_001_00): to rezone Lot 742, DP 751745, 98 Acacia Avenue, Leeton from RE1 Public Recreation to RE2 Private Recreation.

I, the Director, Western 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 Leeton Local Environmental Plan (LEP) 2014 to rezone Lot 742, DP 751745, 98 Acacia Avenue, Leeton from RE1 Public Recreation to RE2 Private Recreation should proceed subject to the following conditions:

1. Prior to public consultation, the planning proposal is to be updated to:
 - a) include maps that correctly and clearly show the existing and proposed zoning of the subject land;
 - b) provide assessment of the proposal against section 9.1 Ministerial Direction 2.6 Remediation of Contaminated Land and 6.2 Reserving Land for Public Purposes; and
 - c) provide commentary of the planning proposal against the Leeton Local Strategic Planning Statement.
2. Prior to community consultation, the planning proposal is to be revised to address condition 1 and forwarded to the Department for administrative purposes.
3. 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 and Environment, 2018).
4. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act
5. 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).
6. Given the nature of the planning proposal, Council is authorised as the local plan-making authority under section 3.36(2) of the Act.

7. The planning proposal must be exhibited **2 months** from the date of the Gateway determination.
8. The planning proposal must be reported to council for a final recommendation **6 months** from the date of the Gateway determination.
9. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 13th day of January 2021.

G P Hopkins

Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning, Industry and
Environment

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