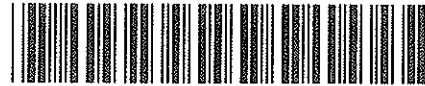




Planning



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Department Generated Correspondence (Y)

Contact: Graham Judge
Phone: (02) 6229 7900
Fax: (02) 6229 7901
Email: Graham.Judge@planning.nsw.gov.au
Postal: PO Box 1814, Queanbeyan NSW 2620

Our ref: PP_2010_WAGGA_001_00 (09/04955)
Your ref: LEP 1991 Planning Proposal Brunslea Park

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

Dear Mr Pinyon,

Re: Planning Proposal to rezone land at Sturt Hwy (Forest Hill), Wagga Wagga

I am writing in response to your Council's letter dated 15 December 2009 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 rezone land at Sturt Highway (Forest Hill), Wagga Wagga.

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

In view of the fact that the subject land is not currently included within the Wagga Wagga Spatial Plan 2008, the Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation. Council should provide the Department with a copy (including the digital GIS data and PDF format) of any maps associated with the planning proposal.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this 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,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_WAGGA_001_00): to rezone 6 hectares of rural land (Lot 2 DP 732466), adjoining the Forest Hill residential area, to a residential zone.

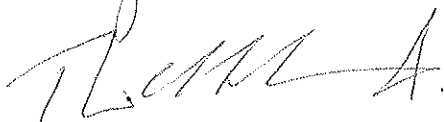
I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Wagga Wagga Local Environmental Plan 2010 to rezone 6 hectares of rural land (Lot 2 DP 732466), adjoining the Forest Hill residential area, to a residential zone should proceed subject to the following conditions:

1. The planning proposal is to be an amendment to the Wagga Wagga LEP 2010 to rezone the subject land from RU1 Primary Production to R1 General Residential. If applicable, Council is to insert a minimum allotment size.
2. A draft amendment to the Wagga Wagga Spatial Plan 2008 identifying the subject land for housing to meet housing supply over the next 10 year period is to accompany the exhibition of the planning proposal.
3. 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 **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)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Environment, Climate Change and Water
 - Roads and Traffic Authority
 - Department of Defence – RAAF Wagga Wagga

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.
5. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.

6. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated *9th* day of *August* 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning