



Gateway Determination

Planning proposal (Department Ref: PP_2015_WELLI_001_00): to amend the Wellington Local Environmental Plan 2012 to rezone land from zone RU1 Primary Production to zone R5 Large Lot Residential with minimum lot size amendments.


I, the Acting General Manager, Western Region at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 to amend the Wellington Local Environmental Plan 2012 to rezone land from zone RU1 Primary Production to zone R5 Large Lot Residential with minimum lot size amendments 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 required to be made publicly available on exhibition for 28 days as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).
 - (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 5.5.2 of A Guide to Preparing LEPs.
2. Consultation is required with the following agencies under Section 56 (2)(d) of the EP&A Act:
 - (a) NSW Rural Fire Service
 - (b) Department of Planning and Environment – NSW Office of Environment and Heritage
 - (c) Department of Primary Industries – Agriculture and NSW Office of Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the planning proposal prior to community consultation.
3. Planning Proposal documentation, including the draft Wellington Rural Land Use Strategy – R5 Land, dated March 2014, be placed on public exhibition and forwarded to the agencies as part of the community consultation process.
4. 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).

5. Prior to submission of the planning proposal under Section 59 of the EP&A Act, LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps
6. Submission of the Planning Proposal under section 59 of the EP&A Act must address the Planning Proposal's inconsistencies with Section 117 Direction 4.4 – Planning for Bushfire Protection after consultation with NSW Rural Fire Service.
7. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 21st day of January 2015.


Wayne Garnsey
Acting General Manager, Western
Region
Planning Services
Department of Planning & Environment

Delegate of the Minister for Planning