



Gateway Determination

Planning proposal (Department Ref: PP_2016_MURRA_001_00): to rezone land from R5 Large Lot Residential with a minimum lot size of 5,000m² to zone R2 Low Density Residential with a minimum lot size of 3,000m² for 23 allotments at Maiden Smith Drive, Moama.

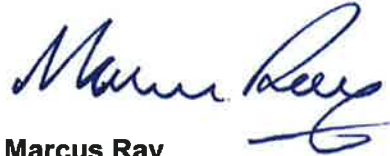
I, the Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the *Murray Local Environmental Plan 2011* to rezone land from R5 Large Lot Residential with a minimum lot size of 5,000m² to zone R2 Low Density Residential with a minimum lot size of 3,000m² for 23 allotments at Maiden Smith Drive, Moama should proceed subject to the following conditions:

1. Prior to community consultation the Western Joint Regional Planning Panel (the Panel) is to consult with NSW Rural Fire Service to address section 117 Direction 4.4 Planning for Bushfire Protection. The Panel is to submit the NSW Rural Fire Service comments to the Department of Planning and Environment for approval prior to community consultation being undertaken.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 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 5.5.2 of *A Guide to Preparing Local Environmental Plans* (Department of Planning & Infrastructure 2013).
3. Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*:
 - Office of Environment and Heritage;
 - Department of Primary Industries – DPI Water;
 - Transport NSW – Roads and Maritime Services; and
 - Murray Shire Council.

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 proposal.
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 *Environmental Planning and Assessment Act 1979*. This does not discharge the Panel 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 *Environmental Planning and Assessment Act 1979*, the Local Environmental Plan maps must be prepared and be compliant with the *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment 2015).

6. The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

Dated 27th day of April 2016.

A handwritten signature in blue ink, appearing to read 'Marcus Ray', with a stylized flourish at the end.

Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Mr Mark Lagenbacher
Director
Planright Surveying
PO Box 586
Echuca VIC 3564

15/18218

Dear Mr Lagenbacher

**Planning Proposal (PP_2016_MURRA_001_00) to amend Murray Local
Environmental Plan 2011 to rezone land and reduce minimum lot size for 23
allotments at River Gums Estate, Maiden Smith Drive, Moama**

I am writing in response to your letter dated 4 December 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act, 1979 in respect of the planning proposal to rezone land and reduce minimum lot size for 23 allotments at River Gums Estate, Maiden Smith Drive, Moama.

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

I can advise that, on 17 March 2016, the Minister for Planning appointed the Western Joint Regional Planning Panel as the Relevant Planning Authority to progress this matter.

Should you have any queries in regard to this matter, I have arranged for Jenna McNabb of the Department's Western Region office to assist you. Ms McNabb can be contacted on (02) 6841 2180.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

Encl: Attachment 1 – Gateway determination

cc: Ms D Macfarlane

27/04/2016



Planning & Environment

Mr Gordon Kirkby
Chair
Western Joint Regional Planning Panel
GPO Box 39
Sydney NSW 2001

15/18218

Dear Mr Kirkby

Planning Proposal (PP_2016_MURRA_001_00) to amend Murray Local Environmental Plan 2011 to rezone land and reduce minimum lot size for 23 allotments at River Gums Estate, Maiden Smith Drive, Moama

I am writing further to the Minister for Planning's appointment of the Western Joint Regional Planning Panel as relevant planning authority on 17 March 2016 and the subsequent request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to rezone land and reduce minimum lot size for 23 allotments at River Gums Estate, Maiden Smith Drive, Moama.

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

At this time, the proposal is inconsistent with section 117 Direction 4.4 Planning for Bushfire Protection and requires consultation with the NSW Rural Fire Service prior to community consultation being undertaken. Please refer to condition number one of the Gateway determination, and arrange for consultation with NSW Rural Fire Service as soon as possible.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. The Panel should aim to commence the exhibition of the planning proposal as soon as possible. The request to draft and finalise the LEP should be made 10 weeks prior to the projected publication date.

Should you have any queries in regard to this matter, I have arranged for Jenna McNabb of the Department's Western Region office to assist you. Ms McNabb can be contacted on (02) 6841 2180.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

Encl: Attachment 1 – Gateway determination

Department of Planning & Environment

23-33 Bridge Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | T 02 9228 6333 | F 02 9228 6455 | www.planning.nsw.gov.au

27/04/2016



Planning & Environment

Ms Margo Stork
General Manager
Murray Shire Council
PO Box 21
Mathoura NSW 2710

15/18218

Dear Ms Stork

Planning Proposal (PP_2016_MURRA_001_00) to amend Murray Local Environmental Plan 2011 to rezone land and reduce minimum lot size for 23 allotments at River Gums Estate, Maiden Smith Drive, Moama

I am writing in regard to the request for Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to rezone land and reduce minimum lot size for 23 allotments at River Gums Estate, Maiden Smith Drive, Moama.

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

I can advise that, on 17 March 2016, the Minister for Planning appointed the Western Joint Regional Planning Panel as the Relevant Planning Authority to progress this matter.

Should you have any queries in regard to this matter, I have arranged for Jenna McNabb of the Department's Western Region office to assist you. Ms McNabb can be contacted on (02) 6841 2180.

Yours sincerely,

Marcus Ray
Deputy Secretary
Planning Services

Encl: Attachment 1 – Gateway determination

cc: Ms D Macfarlane

27/04/2016