



Mr Brett Stonestreet
General Manager
Griffith City Council
PO Box 485
GRIFFITH NSW 2680

Dear Mr Stonestreet

Planning proposal [PP_2018_GRIFF_003_00] to amend Griffith Local Environmental Plan 2014 – Reduction of minimum lot size at Boorga Rd, Nericon

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 29 November 2018, 30 January 2019 and 4 October 2019 in respect of the planning proposal to reduce the minimum lot size from 5ha to 1ha at Boorga Rd, Nericon.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction (3.4 Integrating Land Use and Transport) is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 4.3 Flood Prone Land and 5.10 Implementation of Regional Plans. Council should ensure this occurs prior to the plan being made.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority at this time for the following reasons:

- The unresolved section 9.1 Directions;
- Incomplete Lake Wyangan Basin Stormwater and Wastewater Policy and Plan; and
- Identify best mechanism to allow subdivision of part Lot 104 DP 1018460 that is zone R5 Large Lot Residential (south of West Road)

Once community and agency consultation has been completed and the items above resolved Council may apply to the Department to request for delegation to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made ten (10) weeks prior to the projected publication date.

All related files for LEP amendment, including PDF maps, Map Cover Sheet, planning proposal document and GIS data, if available, must be submitted to the Department via the Planning Portal Website at data.planningportal.nsw.gov.au. To submit the data, Council is required to create an account and log in using these details.

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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Nikki Pridgeon from the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms Pridgeon can be contacted on 5852 6800.

Yours sincerely



7.11.19

Damien Pfeiffer
Director, Western Region
Local and Regional Planning

Encl: Gateway determination