

Gateway Determination

Planning proposal (Department Ref: PP_2020_WAGGA_002_00): to rezone land at Old Bomen Road, Hampden Avenue, Cooramin Street, East Street and Horseshoe Road, Cartwrights Hill and Byrnes Road and Hillary Road, North Wagga Wagga to RU6 Transition Zone and amend minimum lot size.

I, the Executive Director, Local and Regional Planning 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 Wagga Wagga Local Environmental Plan (LEP) 2010 to rezone land at Old Bomen Road, Hampden Ave, Cooramin Street, East Street and Horseshoe Road, Cartwrights Hill and Byrnes Road and Hillary Road, North Wagga Wagga to RU6 Transition Zone and amend minimum lot size should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to community consultation to reflect the applicability of clause 4.2A allowing the continuation of dwelling opportunities on some lots in the Cartwrights Hill precinct.
2. The planning proposal is to be amended prior to community consultation to apply a minimum lot size of 4ha to the part of Lot 101 DP1095889 within the subject land in the North Wagga Wagga precinct.
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. Council is to notify all landowners impacted by the change of zoning and minimum lot size changes in the planning proposal and provide explanatory material summarising the effect of the proposed planning changes.
5. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act.
6. 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).
7. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
8. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 9th day of October 2020.



Monica Gibson
Executive Director, Local and
Regional Planning
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces