

## Gateway Determination

***Planning proposal (Department Ref: PP\_2018\_GRIFF\_003\_00): to reduce the minimum lot size from 5ha to 1ha at Boorga Road, Nericon.***

I, the Director, Western Region 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 Griffith Local Environmental Plan (LEP) 2014 to *reduce the minimum lot size from 5ha to 1ha at Lot 309 DP751743, Lot 610 DP751743, Lot 102 DP1018460 and part Lot 104 DP1018460 (south of West Road), Boorga Road, Nericon* should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be amended to include:
  - (a) An assessment of the proposal's consistency with the Riverina Murray Regional Plan 2036 and section 9.1 Ministerial Direction, 5.10 Implementation of Regional Plans.
  - (b) Identify the mechanisms to enable part Lot 104 DP1018460 that is zoned R5 Large Lot Residential (south of West Road) to facilitate subdivision to minimum lots size of 1ha.
2. Council is to complete an independent stormwater and sewage discharge assessment of the proposal. This assessment is to be submitted to the Department when Council request that the plan be made.
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, Industry and Environment, 2018).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and to comply with the requirements of relevant section 9.1 Directions:
  - Department of Planning, Industry and Environment – Crown Land.
  - Department of Planning, Industry and Environment – Biodiversity Conservation Division.

- State Emergency Service.

Each public authority/organisation 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.

5. 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).
6. Prior to submission of the planning proposal under section 3.36 of the Act, the final LEP maps, must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' 2017.
7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 7<sup>th</sup> day of November 2019.



**Damien Pfeiffer**  
**Director, Western Region**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**