



Mr Frank Zaknich
Chief Executive Officer
Albury City Council
PO Box 323
ALBURY NSW 2640

Attention: David Christy, Service Leader, City Development

Dear Mr Zaknich

Planning proposal PP_2019_ALBUR_002_00 to amend Albury Local Environmental Plan 2010

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) received on 6 November 2019 and additional information submitted 8 November 2019 in respect of the planning proposal to amend the Minimum Lot Size provisions from 4,000m² to 1,500m² under the Albury Local Environmental Plan 2010 on land within the Ettamogah Rise Estate.

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.

Council will need to consult with the NSW Rural Fire Service in accordance with Direction 4.4 Planning for Protection to obtain the agreement of the Secretary. Council should ensure this occurs prior to the plan being made.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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.

Once the planning proposal has been amended as per Condition 1 in the Gateway Determination, it is requested that the planning proposal be provided to the Department to be loaded onto the LEPs Online System.

Should you have any enquiries about this matter, I have arranged for Mr Haydon Murdoch to assist you. Mr Murdoch can be contacted on 6229 7914.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Sarah Lees', with a stylized, cursive script.

18 November 2019

Sarah Lees
Director, Southern Region
Local and Regional Planning

Encl: Gateway determination
Authorised plan-making reporting template