



Mr Peter Thompson  
General Manager  
Wagga Wagga City Council

council@wagga.nsw.gov.au

Dear Mr Thompson

**Planning proposal PP\_2019\_WAGGA\_006\_00 to amend Wagga Wagga 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) in respect of the planning proposal to rezone land to B4 Mixed Use, reclassify community land to operational land, and amend height of building and floor space ratio controls.

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 considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, Council's justification for rezoning and reclassifying land reserved for public purposes is considered adequate. No further approval is required in relation to this Direction.

I note that while a public hearing is not required to be held under section 3.34(2)(e) of the Act, section 29 of the *Local Government Act 1993* specifies that a Council must hold a public hearing in relation to a planning proposal to reclassify public land from community to operational.

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.

Should you have any enquiries about this matter, I have arranged for Mr Will Mayes to assist you. Mr Mayes can be contacted on 8275 1050.

Yours sincerely



2/8/19

**Ben Eveleigh**  
**Director Regions, Southern**  
**Planning and Assessment**

Encl: Gateway determination  
Authorised plan-making reporting template