

Gateway Determination

Planning Proposal (Department Ref: PP_2017_QPREG_002_00): to rezone land at North Tralee to IN2 Light Industrial Zone, B7 Business Park Zone, RU2 Rural Landscape Zone, RE2 Private Recreation Zone and E2 Environmental Conservation Zone and apply appropriate development standards.

I, the Executive Director, Regions, Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under Section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that a Planning Proposal to rezone land at North Tralee to IN2 Light Industrial Zone, B7 Business Park Zone, RU2 Rural Landscape Zone, RE2 Private Recreation Zone and E2 Environmental Conservation Zone and to apply appropriate development standards should proceed subject to the following conditions:

1. Prior to undertaking community consultation the Planning Proposal is to be amended to include:
 - a statement that the proposal will be implemented by an amendment to Queanbeyan Local Environmental Plan (Poplars) 2013.
 - the permissible and prohibited land uses within the proposed zones;
 - an appropriate minimum lot size (Lot Size Map) that minimizes the subdivision potential of land proposed to be zoned RU2 Rural Landscape Zone;
 - the decision by Council on listing the former canteen at Fraser Park Speedway as a local heritage item;
 - any additional information Council may receive on land contamination in accordance with the response to State Environmental Planning Policy 55 Remediation of Land outlined in Attachment 1 of the Planning Proposal; and
 - all the proposed draft LEP Maps.

The revised Planning Proposal and draft LEP Maps are to be submitted to the Department prior to community consultation for approval.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the Planning Proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning 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 5.5.2 of *A guide to preparing LEPs (Department of Planning and Environment 2016)*.

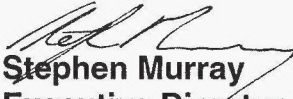
3. Consultation is required with the following public authorities (or accredited authorities) under section 56(2)(d) of the Act and to comply with the requirements of relevant s117 Directions:

- NSW Rural Fire Service;
- Office of Environment and Heritage;
- WaterNSW;
- NSW Roads and Maritime Services;
- John Holland Rail Pty Ltd;
- Transport for NSW – NSW Trains;
- Canberra Airport;
- ACT Government - Environment and Planning Directorate; and
- Commonwealth Department of Infrastructure and Regional Development (Aviation)

Each public authority 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.

4. A public hearing is not required to be held into the matter by any person or body under section 56(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).
5. The timeframe for completing the LEP is to be 12 months following the date of the Gateway Determination.

Dated 10th day of May 2017


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

Mr Peter Tegart
General Manager
Queanbeyan Palerang Regional Council
PO Box 90
QUEANBEYAN NSW 2620

Our ref: PP_2017_QPREG_002_00 ; (17/04180)


Dear Mr Tegart

Planning Proposal (PP_2017_QPREG_002_00) North Tralee

I am writing in response to Council's letter dated 7 March 2017 seeking a revised Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of a Planning Proposal to rezone land at North Tralee.

As delegate of the Minister for Planning, I have determined that Planning Proposal PP_2014_QUEAN_003_00 should no longer proceed and have issued a Gateway Determination allowing the revised proposal to proceed as a new Planning Proposal PP_2017_QPREG_002_00 subject to the conditions.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistencies with Section 117 Directions 1.2 Rural Zones, 3.5 Development near Licensed Aerodromes and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

The Gateway determination has been conditioned to require that the Planning Proposal amends Queanbeyan Local Environment Plan (Poplars) 2013. I have imposed this condition to minimise the number of instruments applying to the local government area.

I have determined not to issue Council with an Authorisation to use its delegation for plan making because of the significance of the site.

The 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 and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

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 54(2)(d) of the Act if the timeframes outlined in this determination are not met.

Should you have any queries regarding this matter, I have arranged for Mr Graham Judge of the Department's Southern Region office to assist you. Mr Judge can be contacted on 6229 7906.

Yours sincerely

 19 May 2017
Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Encl: Gateway Determination