

Gateway Determination

Planning proposal (Department Ref: PP_2018_YASSV_001_00): to rezone rural land to R2 Low Density Residential Zone on part Lot 1 DP 32236 2155 Sutton Road, Sutton.

I, the Acting Director Regions, Southern at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Yass Valley Local Environmental Plan (LEP) 2013 to rezone rural land to R2 Low Density Residential Zone on part Lot 1 DP 32236 2155 Sutton Road, Sutton should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to community consultation to;
 - a. include mapping of the flood planning area affecting the site from the Sutton Floodplain Risk Management Study and Plan and to provide a larger legend for Figures 10 and 11 that show the 1% AEP Hydraulic Hazard categories for the site;
 - b. Clarify under the section “Explanation of Provisions” that the Lot Size Map will be amended to apply a 2,000 sqm minimum lot size to land proposed to be zoned R2 Low Density Zone; and
 - c. Clarify that it is intended to use clause 6.12 of the Yass LEP 2013 to apply a 5,000 sqm minimum lot size to a dwelling house lot and 10,000 sqm minimum lot size for dual occupancy development for residential lots in the proposed R2 Low Density Residential Zone intended to be serviced by an on-site effluent management system.
2. 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Office of Environment and Heritage
 - NSW Environmental Protection Authority

- Department of Primary Industries – Agriculture
- Department of Primary Industries – Water
- NSW Health
- NSW Rural Fire Service
- NSW Roads and Maritime Services
- NSW Department of Education
- ACT Government
- Queanbeyan Palerang Regional Council

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.

4. 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).
5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 30th day of November 2018.



Luke Musgrave
Acting Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning