

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-2532):** to rezone land from RE2 Private Recreation to R1 General Residential at 142 Swan Hill Road, Murray Downs.

I, the Group Deputy Secretary Planning and Assessment 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 Wakool Local Environmental Plan (LEP) 2013 to rezone land from RE2 Private Recreation to R1 General Residential at 142 Swan Hill Road, Murray Downs should **not** proceed for the following reasons:

1. The need for the planning proposal is not adequately justified and there are inaccuracies and inconsistencies in the information provided in the planning proposal, Addendum version 1 and Addendum version 2 that cannot be easily remedied through Gateway conditions.
2. A solution exists that would allow manufactured homes to be erected on site removing logistical issues attributed to the Swan Hill bridge.
3. The planning proposal would further facilitate departure from the *Murray Regional Environmental Plan No. 2* and Riverina Murray Regional Plan.
4. The planning proposal is inconsistent with Council's Local Strategic Planning Statement and the Department-endorsed Wakool Land Use Strategy 2009.
5. The proposal is inconsistent with Section 9.1 Direction 2.1 Environment Protection Zones.
6. There are six unresolved section 9.1 Directions (2.3 Heritage Conservation, 3.1 Residential Zones, 3.2 Caravan Parks and Manufactured Home Estates, 3.4 Integrating Land Use and Transport, 4.3 Flood Prone Land and 5.10 Implementation of Regional Plans).

Dated 9 day of July 2021.



**Marcus Ray**  
**Group Deputy Secretary**  
**Planning and Assessment**  
**Department of Planning, Industry and Environment**

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