

Gateway Determination

Planning proposal (Department Ref: PP-2021-2804): to change zoning and minimum lot size at Springvale

I, the Director, Western Region 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 Wagga Wagga Local Environmental Plan (LEP) 2010 to change zoning and minimum lot size at Springvale should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - a) apply the proposed 2 ha minimum lot size to the existing large lot residential precinct as shown in Figure 8 of the Gateway Determination report
 - b) update the planning proposal, subject land map and proposed minimum lot size map to reflect the outcome of Condition (a)
 - c) provide discussion for the necessity for the planning proposal to proceed prior to the completion of the Wagga Wagga Housing Strategy
2. Prior to public exhibition, the planning proposal is to be revised to address condition 1 and forwarded to the Department for review and approval.
3. Prior to finalisation, the planning proposal is to be revised to incorporate findings of a preliminary investigation of Lot 21 DP 1218487 carried out in accordance with the contaminated land planning guidelines.
4. Prior to public exhibition, consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environment Protection Zones and 4.4 Planning for Bushfire Protection
 - DPIE – Agriculture
 - DPIE – Environment, Energy and Science
 - NSW Rural Fire Services

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.

5. 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
6. 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).
7. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
8. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 24th day of May 2021.



Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces