



Mr Peter Veneris  
General Manager  
Lockhart Shire Council  
PO Box 21  
LOCKHART NSW 2656

Dear Mr Veneris

**Planning proposal [PP-2021-4746] to amend Lockhart Local Environmental Plan 2012 – Lots 1 and 4 DP 194750, Braithwaites Lane, The Rock.**

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 from part zone RU1 Primary Production and part zone IN1 General Industrial to zone RU5 Village, and reducing the minimum lot size from 250ha to 2,000m<sup>2</sup> for the purpose of residential subdivision at Braithwaites Lane, The Rock.

Initial review of the planning proposal and supporting documentation has been completed. At this time the proposal, as submitted, does not:

- demonstrate strategic merit – in particular, consistency with the Lockhart Shire Rural Settlement and Industrial Rezoning Strategy 2013 and Lockhart Local Strategic Planning Statement 2020.
- adequately address land use conflict concerns between the proposed residential development next to industrial zoned land, the Olympic Highway, and the Inland Rail route, as identified in the report to Council in December 2020.
- justify the loss of 3ha of industrial land for the proposed additional residential use given there is an existing supply of similar residential land available at The Rock.
- include a preliminary site investigation contamination report as required by section 9.1 Direction, 2.6 Remediation of Contaminated Lands.

Additional information regarding strategic and site merit of the proposal is required before the Department can progress the assessment and determination of this proposal. I note that the Lockhart LSPS 2020 identified the need to complete a Local Housing Strategy for Lockhart and The Rock. The Department encourages this approach to assess local housing needs at a strategic level, rather than in response to site specific requests. The Department is available to support Council to update the LEP controls in response to an endorsed housing strategy to adequately address any changes in future housing needs at The Rock.

The review of the Riverina Murray Regional Plan 2036 is currently underway and provides an opportunity for strategic recognition of growth opportunities in Lockhart. This will include investigating broader regional opportunities (including residential, industrial and commercial), associated with the implementation of the Wagga Wagga Special Activation Precinct. This work is expected to be finalised in the first half of 2022 and will provide supporting evidence to inform the additional housing and industrial land needs of The Rock. Mr Haydon Murdoch (0417 532 933) can provide further information on the Regional Plan review and supporting projects.

At this time the planning proposal requires further strategic and site-specific justification and has been rejected. Council may wish to resubmit the planning proposal once the additional information is available.

Should you have any enquiries about this matter, I have arranged for Ms Nikki Pridgeon from the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms Pridgeon can be contacted on (02) 5852 6800.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Hopkins', with a stylized, cursive script.

17 December 2021

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**