



Mr Terry Dodds  
Chief Executive Officer  
Murray River Council  
PO Box 906  
MOAMA NSW 2731

**Attention: Llyan Smith, Acting Manager Planning Services**

Dear Mr Dodds

**Planning proposal PP-2021-5594 to amend Murray Local Environmental Plan 2011 – 17 Maidensmith Drive, Moama.**

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 reduce the minimum lot size for Lot 17 DP258661, 17 Maidensmith Drive, Moama.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

The planning proposal demonstrates strategic merit for the urban intensification of the subject land, however additional contextual information is required to support the proposal prior to community consultation. Please refer to condition 1 of the Gateway determination.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine (9) months of the date of the Gateway determination however this is a maximum time and Council should strive to finalise the proposal earlier. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six (6) weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment, Western Region Office when the plan making milestones are achieved.

This will be a Map Only Amendment and the details of this process can be found in the document "LEP's where council is the local plan-making authority" (enclosed).

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

#### *Local housing strategy*

The planning proposal discusses the constrained residential land supply in Moama and refers to the forthcoming local housing strategy.

The Department is concerned about the ongoing risk to good planning outcomes due to Council's spot rezoning approach to infill development with no strategic master planning in place. This has the potential to create a scattered and inconsistent subdivision design that is not integrated with surrounding areas and the broader Moama township.

The preparation of a local housing strategy and master planning of precincts is recommended to provide a consistent and orderly approach to the release of residential land and infill development. The Department supports the preparation of the Moama local housing strategy and is available to provide detailed comments to assist Council.

Should you have any enquiries about this matter, I have arranged for Meredith McIntyre to assist you. Ms McIntyre can be contacted on 6229 7912.

Yours sincerely



17 December 2021

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

Encl: Gateway determination  
"LEP's where council is the LPMA"