

Gateway Determination

Planning proposal (Department Ref: PP-2021-7405): to allow as an Additional Permitted Use development for the purposes of office premises at 77 Gurwood Street, Wagga Wagga

I, the Director, Western Region 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 *Wagga Wagga Local Environmental Plan 2010* to allow as an Additional Permitted Use development for the purpose of office premises at 77 Gurwood Street, Wagga Wagga should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - include a zoning map of the site;
 - discuss options to achieve the objectives of the proposal other than allowing an additional permitted use e.g. rezoning against the new employment zones. This could include a discussion of the RE2 zone objectives and address clause 7.9 of the LEP i.e. Primacy of Zone B3 Commercial Core;
 - remove the reference on page 10 to rezoning;
 - correct the reference to the Department of Planning, Industry and Environment on page 22;
 - include a project timeframe.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 14 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. 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).
4. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act, or the Secretary has agreed that any inconsistencies are justified; and

- (c) there are no outstanding written objections from public authorities.
5. The LEP should be completed on or before nine (9) months from the date of the Gateway Determination.

Dated 12th day of May 2022.

A handwritten signature in black ink, appearing to read 'G. P. Hopkins', with a large, stylized initial 'G'.

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

Delegate of the Minister for Planning