

Gateway Determination

Planning proposal (Department Ref: PP-2022-2502): *amend the Albury Local Environmental Plan 2010 (ALEP 2010) regarding Conservation Zones within the Albury Local Government Area (LGA).*

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 Albury Local Environmental Plan 2010 regarding Conservation zoned lands within the Albury Local Government Area (LGA) should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be updated to:-
 - (a) Update the Project Timeframe to reflect the submission of the proposal in August 2022 and subsequent milestones to ensure the plan is finalised within nine (9) months
 - (b) Update the planning proposal to include instances where the Albury LEP 2010 will be required to be changed to reference the new Conservation Zones within applicable clauses
 - (c) Update the interactive map to ensure the final sites proposed to be rezoned are in accordance with Appendix A of the planning proposal, the proposed minimum lot size changes are demonstrated, and that the Albury LGA boundary is displayed.
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, 2022) and 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service
 - Biodiversity Conservation and Science Division
 - CASA
 - Department of Primary Industries – Agriculture
 - Department of Primary Industries – Fisheries

- Essential Energy
- Australian Department of Defence
- Albury and District Local Aboriginal Land Council
- Department of Planning and Environment – Water
- Crown Lands
- City of Wodonga
- Charles Sturt University

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing may be 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).
5. The LEP should be completed within nine (9) months.

Dated 5 day of October 2022.



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

Delegate of the Minister for Planning