

Our ref: PP-2022-2845/ IRF22/3037

Mr Peter Thompson
General Manager
Wagga Wagga City Council
PO Box 20
WAGGA WAGGA NSW 2650

Attention: Crystal Atkinson, Senior Strategic Planner

Dear Mr Thompson

Planning proposal PP-2022-2845 to amend Wagga Wagga Local Environmental Plan 2010 – part of 20 Hely Avenue, and part of 121 Fernleigh Road, Turvey Park

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) received on 8 August 2022 in respect of the planning proposal to amend zone from SP2 Educational Establishment to R1 General Residential for land at part of 20 Hely Avenue and part of 121 Fernleigh Road, Turvey Park.

Council's addendum recognises the reduction in seniors living options in the City from this planning proposal and the lack of a housing strategy. Preparation of a housing strategy for Wagga Wagga is vital so that decisions affecting housing location, typology and timing are informed by evidence to maximise benefits to the City and its future population.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 4.1 Flooding is justified in accordance with the terms of the Direction.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within six (6) months. This will be a map only amendment and Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The Department of Planning and Environment, Western Region team should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

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

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

14/10/2022

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination