

Gateway Determination

Planning proposal (Department Ref: PP-2023-2003): to rezone land and reduce the minimum lot size at Lots 2 and 3 DP 1213161 and Lot 15 DP 1273625, Beer and Perricoota Roads, Moama.

I, the Acting Director, Southern Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Murray River Local Environmental Plan 2011 to rezone land and reduce the minimum lot size at Lots 2 and 3 DP 1213161 and Lot 15 DP 1273625, Beer and Perricoota Roads, Moama should proceed subject to the following conditions:

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.

The LEP should be completed on or before 6 June 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to address the points listed below:
 - (a) remove assessment of the *Riverina Murray Regional Plan 2036* and include instead assessment against relevant parts of the *Riverina Murray Regional Plan 2041*.
 - (b) reflect Council's adoption of the *Murray River Local Housing Strategy 2023* and any implications for the subject land.
 - (c) reflect the outcomes of a Preliminary Site Investigation in accordance with the *Contaminated Land Planning Guidelines 1998* and update the assessment of Section 9.1 Direction 4.4 Remediation of Contaminated Land.
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 Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 Guideline (Department of Planning and Environment, August 2023).

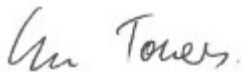
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Department of Primary Industries (Agriculture)
- Transport for NSW

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 working days to comment on the proposal.

4. 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).

Dated 14 June 2024



Graham Towers
Acting Director, Southern Western and
Macarthur Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces