

Gateway Determination

Planning proposal (Department Ref: PP-2023-2372): Additional permitted use for recreational facility (outdoor) at West Wyalong Aerodrome, 13510 Newell Highway, West Wyalong.

I, the Director, Western Region, at the Department of Planning and Environment, 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 Bland Local Environmental Plan 2011 to include an additional permitted use 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 before 22 July 2024.

Gateway Conditions

1. Prior to commencing public exhibition, the planning proposal is to be updated to:
 - a. Include a preliminary site contamination assessment to Council's requirements, and
 - b. Include a project timeline to reflect the milestones to complete the proposal by 22 July 2024.
2. Prior to commencing public exhibition, consultation is required with Department of Planning and Environment – Biodiversity Conservation and Science (BCS) under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9.1 of the Act. The planning proposal should be amended, if required, to address comments provided during this consultation.
3. 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, 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*

4. 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 9.1 of the Act:

- Rural Fire Service
- 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.

5. 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 1 November 2023.

Kate Hanson
Acting Director, Western Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces