

Gateway determination

Planning proposal (Department Ref: PP-2023-2603): to rezone land to E4 General Industrial and increase the minimum lot size at Strathvale Road, Berrigan

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 Berrigan Local Environmental Plan 2013 to rezone land to E4 General Industrial and increase the minimum lot size at Strathvale Road, Berrigan should proceed subject to the following:

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 13 March 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to address the points listed below in this condition:
 - a) address the suitability of the site to accommodate the Berrigan LEP 2013 E4 General Industrial Zone more broadly than the proposed land use;
 - b) amend the digital zoning mapping rather than Map Sheet LZN_006A;
 - c) reflect its assessment is against the Riverina Murray Regional Plan “2041” not “2036”; and
 - d) reflect a timeline for planning proposal completion in line with the Gateway determination 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 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. No consultation is required with public authorities or government agencies under

section 3.34(2)(d) of the Act.

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 16 May 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