



IRF24/1409

Gateway determination report – PP-2024-1096

Ariah Park Village Planning Proposal

July 24

Published by NSW Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

Title: Gateway determination report – PP-2024-1096

Subtitle: Arian Park Village Planning Proposal

© State of New South Wales through Department of Planning, Housing and Infrastructure 2024. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Housing and Infrastructure as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (July 24) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Housing and Infrastructure), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	1
1.1	Overview.....	1
1.2	Objectives of planning proposal	1
1.3	Explanation of provisions	2
1.4	Site description and surrounding area.....	2
1.5	Mapping.....	3
1.6	Background	4
2	Need for the planning proposal	5
3	Strategic assessment	5
3.1	Regional Plan	5
3.2	Local.....	6
3.3	Section 9.1 Ministerial Directions	7
3.4	State environmental planning policies (SEPPs)	10
4	Site-specific assessment	11
4.1	Environmental.....	11
4.2	Social and economic.....	11
4.3	Infrastructure	11
5	Consultation.....	12
5.1	Community	12
5.2	Agencies.....	12
6	Timeframe	12
7	Local plan-making authority	13
8	Recommendation.....	13

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A - Planning Proposal (May 2024)
Attachment B – Council report and minutes (May 2024)
Attachment C – Previous Gateway determination and Report
Attachment D - Ariah Park Floodplain Risk Management Study and Plan (Draft for Public Exhibition)

Attachment E – Temora Residential Land Use Strategy (August 2019)

Attachment F – Preliminary Site Investigation (April 2024)

Attachment G – Sewage Management (Council Development Control Plan)

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Temora
PPA	Temora Shire Council
NAME	Rezone land at Aria Park to RU5 Village, R5 Large Lot Residential and RU1 Primary Production and amend minimum lot sizes (potential for up to 93 lots)
NUMBER	PP-2024-1096
LEP TO BE AMENDED	Temora LEP 2010
ADDRESS	Various, Aria Park 2665
DESCRIPTION	Lots 134-139, 141-145, 181, 183-185 DP 750852 Lots 117, 175-178 and 120 DP 750852 Lot 7 (part), 47, 89 and 132 (part) DP 750852 Lots 1 (part) and 2 DP 709245
RECEIVED	21/05/2024
FILE NO.	IRF24/1409
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal
PCO or Map only	Map only

1.2 Objectives of planning proposal

The planning proposal (**Attachment A**) contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to rezone land in accordance with its primary use and facilitate additional village and large lot residential development adjoining the town of Aria Park.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Temora LEP 2010 per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	RU1 Primary Production	RU5 Village & R5 Large Lot Residential
	R5 Large Lot Residential	RU1 Primary Production
Minimum lot size	RU1 - 40 hectares	2000m ² (for RU1 to RU5)
	R5 - 2 hectares	1 hectare (for RU1 to R5) 40 hectares (for R5 to RU1)

The proposal seeks to achieve the intended outcome by amending Temora LEP land zoning and lot size maps to:

- rezone Lots 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 181, 182, 183, 184, 185 DP 750852, Lot 1 DP 870224 and Lots 1 and 2 DP 1206023 from RU1 Primary Production to RU5 Village, and reduce the minimum lot size from 40 hectares to 2000m².
- rezone Lots 117, 175, 176, 177, 178, 120 DP 750852 from RU1 Primary Production to R5 Large Lot Residential, and reduce the minimum lot size from 40 hectares to 1 hectare; and
- rezone Part Lot 7, Lots 47, 89, Part Lot 132 DP 750852, Part Lot 1, Lot 2 DP 709245 from R5 Large Lot Residential zone to RU1 Primary Production, and increase the minimum lot size from 2 hectares to 40 hectares.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

The proposal notes that the Temora Shire Development Control Plan 2012 provides additional guidance about village development, and will need to be updated as required.

1.4 Site description and surrounding area

The subject site is located on the northern and western fringes of the Arianh Park village, just north of a section of the Burley Griffin Way, the nearest major road. Arianh Park is 35km west of Temora and 65 kilometres south of West Wyalong and has a population of 439.

The subject site has been used for various purposes including, low intensity agriculture (cropping and grazing), light industry, and low density residential. The area is mostly cleared with scattered vegetation coverage.

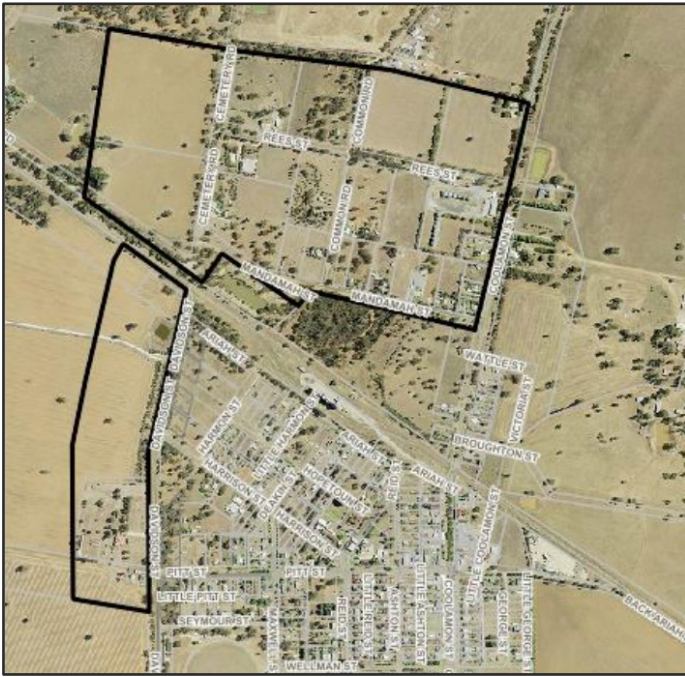


Figure 2 Subject site (source: Preliminary Site Investigation which forms part of the planning proposal)

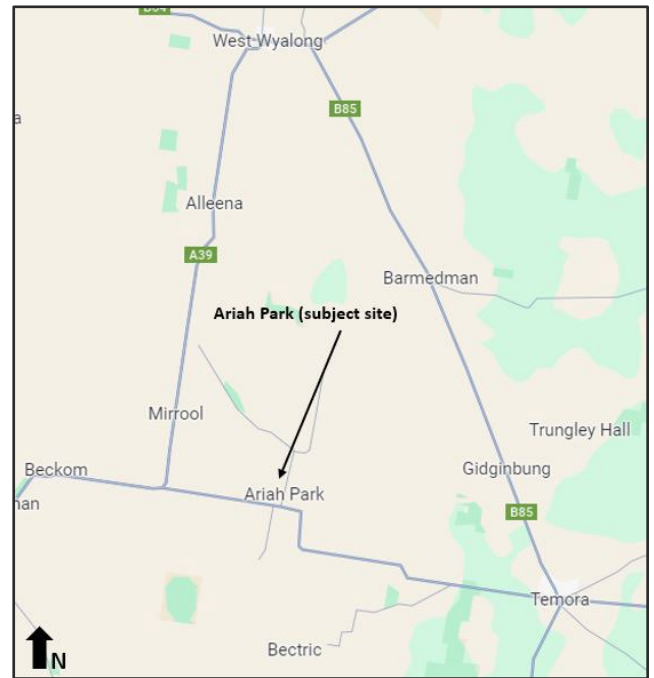


Figure 1 Site context (source: Google Maps, Department annotated)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the land zoning and minimum lot size maps. While the maps are legible, they are not suitable for community consultation. The proposal should include a current minimum lot size map and also include a legend/corresponding zoning and lot size colours. This would more clearly show the land use pattern. A condition has been recommended to this effect as part of the Gateway.

The land zoning map to be amended is digital (for reference it is sheet LZN_001A). The lot size map to be amended is LSZ_001A.

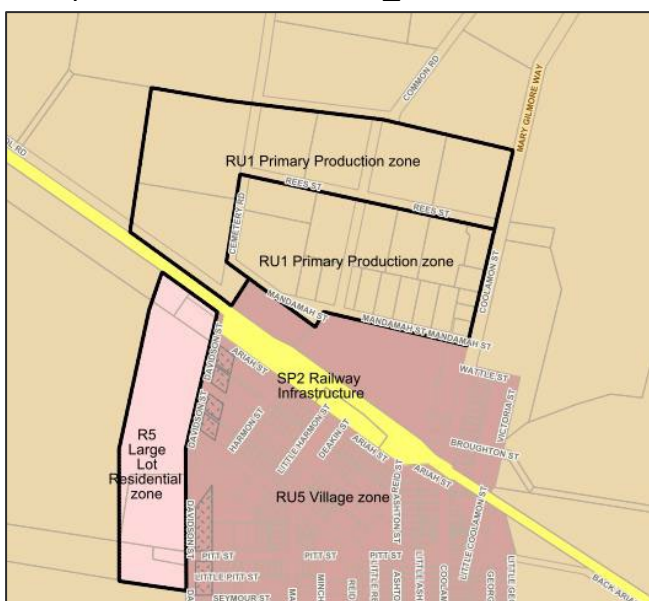


Figure 4 Current zoning map (Source: Planning Proposal)

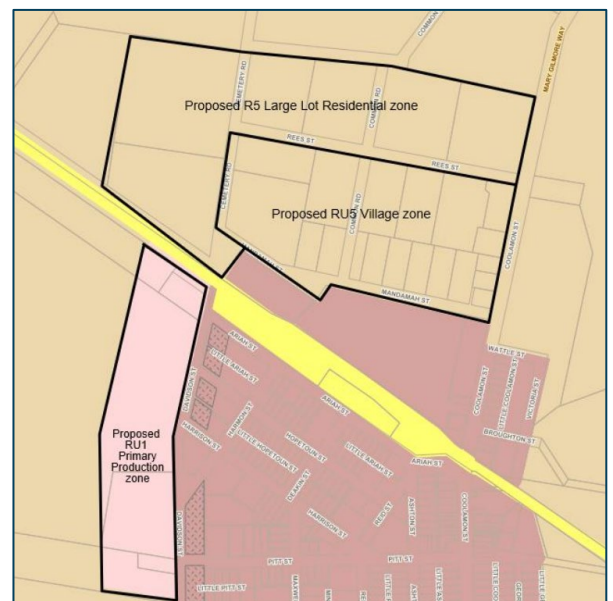


Figure 3 Proposed zoning map (Source: Planning Proposal)



Figure 6 Current Lot size map (Source: Spatial viewer, Department annotated)



Figure 5 Proposed Lot size map (Source: Planning proposal)

1.6 Background

As noted in the Council Report (**Attachment B**) The proposal was previously endorsed by Council in March 2020 and was submitted to the Department for a Gateway determination (**Attachment C**), which was issued in May 2020. The Gateway recommended the proposal should proceed and included conditions requiring public exhibition and consultation with public authorities including:

- Former Department of Planning, Industry and Environment (DPIE), Biodiversity and Conservation Division (BCD)
- Department of Primary Industries – Agriculture
- Environment Protection Authority
- Office of Water
- Goldenfields Water.

Due to the extended time required to complete the Aria Park Village Flood Study, Council withdrew the proposal in May 2021. The Aria Park Floodplain Risk Management Study and Plan (FRMP) (**Attachment D**) was adopted by Council in March 2024. Council has now reconsidered the planning proposal for Aria Park. The FRMP was not provided with the documents submitted as part of the planning proposal, a condition of the Gateway is to include this document when undertaking agency consultation and public exhibition.

It is also noted that the delegate of the Secretary agreed at the time that any inconsistencies with section 9.1 Directions 1.2 Rural Zones and 3.1 Residential Zones were minor and/or justified.

In response to a request from the Department for further information (13 June 2024) in relation to the above consultation, Council has advised that the only response it received was from (the then) DPIE BCD. As the completion of the flood study was an outstanding issue that was a requirement to progress the proposal, Council did not follow up with other agencies. DPIE BCD comments also raised other issues relating to biodiversity and Aboriginal heritage, which have not been addressed in the resubmitted planning proposal. A Gateway condition has been recommended that preliminary assessments of these matters be included in the planning proposal prior to public exhibition. This is also discussed in other parts of this report.

2 Need for the planning proposal

The planning proposal states that the current zoning of the areas immediately north and west of Arian Park are inconsistent with the primary use of the land. The area proposed to be rezoned RU5 and R5 comprises land currently used for residential, commercial, industrial and agricultural purposes (although these have not been explained further in the planning proposal).

The area proposed to be rezoned RU1 is primarily used for agricultural purposes.

The proposal also seeks to facilitate additional residential and village development opportunities, potentially facilitating the creation of up to 93 additional lots in the area north of Arian Park, noting the number of dwellings likely to be lower due to a lack of demand and site constraints. The planning proposal does not identify a more realistic development outcome.

The proposed RU5 Zone and associated 2000m² minimum lot size are consistent with the development standards applicable to the adjoining existing RU5 Zone; which is consistent with the existing character and land use pattern of Arian Park. In addition, the proposed R5 Zone and associated 1-hectare minimum lot size is likely to provide a suitable buffer between smaller village lots and the surrounding agricultural land.

The proposal highlights the importance of ensuring there is adequate supply of zoned land for residential growth across the broader Temora LGA. The population of Temora is expected to grow by at least 600 people from 2021-2041 (NSW population projections). Furthermore, the Temora Shire Council Residential Land Use Strategy 2019 estimates an additional 275 – 1027 dwellings would be needed by 2035. The proposed area is suitably located to facilitate additional subdivision, with access to essential infrastructure and services. Therefore, the proposed LEP amendment will assist the Temora LGA in responding to population growth and change by providing residential development options in Arian Park.

Further to this, the planning proposal is the result of the Temora Local Strategic Planning Statement (LSPS) which informed the Temora Shire Council Residential Land Use Strategy (RLUS) (**Attachment E**), where the subject site is identified for the proposed changes, this is discussed in section 3.2. Therefore, the planning proposal is the best means of achieving the intended outcome of zoning the land in accordance with its primary use and enabling additional subdivision opportunities.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Riverina Murray Regional Plan 2041. It is also noted that the proposal was previously deemed to be broadly consistent with the 2036 Regional Plan in the Department's previous Gateway assessment (2020).

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 3 – Increase Natural Hazard Resilience	The subject site is affected by flooding, and the Arian Park and Springdale Floodplain Risk Management Study and Plan has been developed for the area, this is discussed further in section 3.3. There are no other identified natural hazards.

Objective 5 – Ensure Housing supply, diversity, affordability and resilience	The proposal seeks to assist with the supply of residential land by rezoning to RU5 village in suitable locations. This would facilitate up to an additional 93 lots. It is consistent with the strategy requirements of the regional plan.
Objective 6 – Support housing in regional centres and their sub-regions	Wagga Wagga is the closest regional centre and providing housing in Aria Park, within the Temora LGA, as a sub-region would not be inconsistent with objective 6.
Objective 7 – Provide for appropriate rural residential development.	The proposal provides rural residential development in an appropriate location as detailed within other sections of this report. The site aligns with the intent of Strategy 7.1.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment


Local Strategies	Justification
Temora Local Strategic Planning Statement (LSPS) Temora Shire Council Residential Land Use Strategy 2019 (RLUS)	<p>The proposal is consistent with Council's Residential Land Use Strategy (RLUS) (Attachment D) and Local Strategic Planning Statement (LSPS) as it seeks to ensure there is an adequate supply of zoned land to support population growth and change by facilitating additional residential and village development opportunities on land identified as suitable.</p> <p>In accordance with the recommendations of the RLUS, the areas proposed to be rezoned RU5 and R5 are identified as suitable for rezoning subject to further investigation. The RLUS also recommends rezoning the area west of Aria Park from R5 to RU1 in conjunction with the rezoning of land to the north.</p> <p>Planning Priority 6 of Council's LSPS seeks to ensure sufficient land is available to enable a range of housing, business and community needs. Accordingly, action 6.1 of Council's LSPS states <i>"progress the delivery of additional zoned residential land to meet future growth needs, in accordance with the adopted Temora Residential Land Use Strategy 2019 by the end of 2021"</i>. See Figure 7 below, an extract from the LSPS for further justification of the alignment between this proposal and outcomes of the LSPS.</p> 

Figure 7 Council rezoning opportunities (Source: Temora Shire Council LSPS 2020)

The proposal is broadly consistent with and the result of the RLUS. However, there is a minor inconsistency between the RLUS and this planning proposal as part of the village zone is prosed to be rezoned to R5 instead (see red circled area in **Figure 8**).



Figure 8 Land suggested for inclusion in the Strategy via public consultation (Source: RLUS)

Temora Shire
Community
Strategic Plan
Temora
Tomorrow
Towards 2025

The planning proposal responds to the Temora Community Strategic Plan themes (3) Building a strong local economy, by providing potential housing and commercial uses (3.4) a community with good access to a range of appropriate and affordable housing and (3.4.2) provide land for residential development.

3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	As discussed in Section 3.1 of this report, the proposal aligns with the strategies of the Riverina Murray Regional Plan 2041.
3.2 Heritage conservation	Further information required	<p>The proposal will not alter the existing provisions within the Temora LEP to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>However, the proposal has not provided enough information to determine the consistency with this direction and this was also raised in the previous DPIE BCD consultation. The proposal should be updated to assess Aboriginal and non-Aboriginal heritage prior to public exhibition and agency consultation.</p>

4.1 Flooding

Further
information
required

The subject site is flood prone with the majority of the northern portion of the site impacted by the 1% Annual Exceedance Probability (AEP).

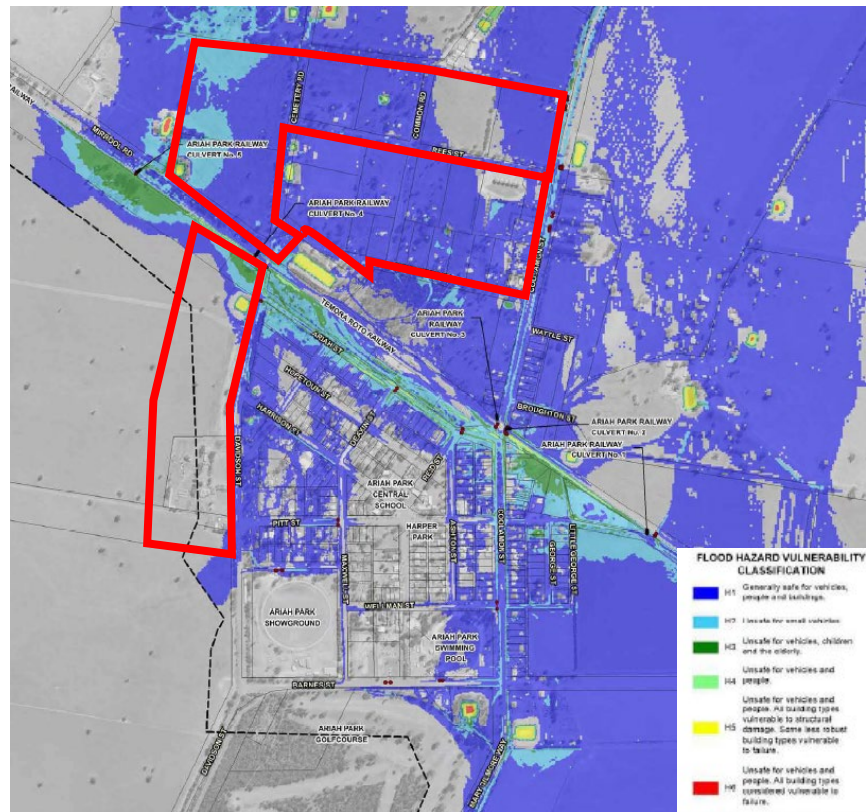


Figure 9 Flood prone land

The proposal is inconsistent with this direction as it will rezone land from rural to residential purposes, and permit development within a flood planning area.

However, the planning proposal is in accordance with a floodplain risk management study and plan (**Attachment D**) that has been adopted by Temora council. Council states:

“Council officers have held extensive discussions with Flood Planning Officers from the Department of Climate Change, Energy, the Environment and Water regarding the proposed rezoning. Future development will be guided by the Aria Park and Springdale Floodplain Risk Management Study and Plan, completed by Lyall and Associates in 2024. An extract of the 1% AEP map is shown by Figure 5 and the Study and Plan is a supporting document to the Planning Proposal. It is noted from Figure 5 that there are areas of the study area that are impacted by flooding during a 1% AEP event, however the flooding levels, which is overland flooding, not riverine flooding, are low to moderate and can be managed as part of the future assessment process. Council officers will refer to the Aria Park and Springdale Floodplain Risk Management Study and Plan as part of the assessment process of future development applications for new development in Aria Park.”

A condition has been included to provide the FRMP as part of the documents for agency consultation and public exhibition. At this stage the Secretary should consider that the inconsistency with 4.1 Flooding is

		unresolved and consultation with DCCEEW and SES, is required to confirm the proposal is appropriate in the context of the flood study.
4.4 Remediation of Contaminated Land	Consistent	<p>This direction applies and a preliminary site investigation (PSI) (Attachment F) has been provided for all sites subject to this planning proposal.</p> <p>The PSI confirms that the subject sites have been used for low intensity agriculture and low-density residential use. The PSI concludes that the land uses are not considered to pose a risk of land contamination.</p>
5.1 Integrating Land Use and Transport	Consistent	<p>The proposal would provide capacity for additional housing adjacent to the existing village centre of Arianh Park in a way which clusters development around existing services.</p> <p>In addition, the proposal is strategically justified by Councils Residential Land Use Strategy.</p> <p>No further assessment is required in relation to this direction.</p>
6.1 Residential Zones	Justified inconsistency	<p>The proposal states it is consistent with direction 6.1 providing an analysis of the amount of residential land and current uses of the land to determine consistency.</p> <p>The proposal is partially consistent with the terms of the direction as it seeks to provide additional housing in a suitable location, including encouraging a variety and choice of housing types to provide for existing and future needs in an R5 and RU5 setting, and making efficient use of existing infrastructure and services which are able to be connected or in proximity to the proposed development.</p> <p>The part of the proposal that is inconsistent with the direction is land to the west of Arianh Park seeking to rezone from R5 to RU1, with an associated lot size increase from 2 hectares to 40 hectares. Therefore, there is a reduction in permissible residential land density. However, the Secretary can be satisfied that this is of minor significance as the primary use of the land is for agricultural purposes and there is no plan to develop the land for residential use, while the proposal seeks to rezone other land better suited to residential use (justified and discussed further in section 2 and 3.2).</p>
7.1 Employment zones	Consistent	<p>The proposal is consistent with this Direction as it aims to stimulate job creation and investment through rezoning of land for village use. This would include making a range of uses permissible, such as businesses, commercial and light industrial development, alongside residential.</p> <p>The proposal has been justified by a study which gives consideration to the objective of this direction.</p>

9.1 Rural Zones	Justified inconsistency	<p>The proposal is inconsistent with this Direction as it seeks to rezone land from a rural zone to residential. The proposal has justified this inconsistency as it seeks to facilitate a development outcome which reduces potential land use conflict with existing uses and promotes the ongoing use of land primarily used for agricultural purposes through appropriate zoning. Furthermore, the proposal is consistent with Council's RLUS, further justifying the inconsistency with this direction.</p> <p>While the proposal is consistent with the local strategy, there are still substantial portions of rural zoned land proposed to be rezoned, therefore a condition has been included to consult NSW Department of Primary Industries (Agriculture). This would also ensure the impact of the proposal on adjoining agricultural uses is appropriately considered.</p>
9.2 Rural Lands	Consistent	<p>This direction applies as the proposal seeks to rezone land from primary production to a village zone. The proposal states that it is justifiably inconsistent with the direction.</p> <p>The proposal considers various aspects of this direction and is consistent with the relevant strategic plans, considers the constraints of the land, promotes investment in rural economic activities, supports farmers right to farm, minimises fragmentation of rural land and reduces risk of land use conflict. Therefore, the department considers that the proposal is consistent with the Direction as the land is fragmented and the proposed uses are consistent with local strategies.</p>

3.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below. Any other matters related to the SEPP would be considered at the development application stage.

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Housing) 2021	Planning proposals must enable and encourage the development of diverse housing	Yes	The proposal would facilitate the delivery of a range of housing types identified in the State Environmental Planning Policy (Housing) 2021, within the Temora LGA.
SEPP (Resilience and Hazards) 2021	Planning proposals must not increase the risk of harm to human health and the environment through contamination	Yes	The proposal has included a preliminary site investigation which indicates the site has not been used for any unreasonable contaminant generating land use and no visible sign of contamination were present.

SEPP (Primary Production) 2021	To facilitate orderly economic use and development of lands for primary production, reduce conflict and sterilisation of rural land balancing primary production and residential development.	Yes	This SEPP applies as the proposal would facilitate rezoning of RU1 Primary Production land. See Section 3.3 of this report for further assessment.
---	---	-----	--

4 Site-specific assessment

4.1 Environmental

Environmental impacts have been discussed in other sections (mainly Section 3.3) of the report in relation to Aboriginal and non-Aboriginal heritage, contamination, and flooding.

Biodiversity has not been discussed in other sections of the report, nor in the planning proposal. Aerial images of the site do show the presence of vegetation, and the site is also identified in the Temora LEP under the Temora Natural Resources Sensitivity – Biodiversity Map. Furthermore, in DPIE BCD's response to the previous proposal they identified biodiversity as an issue with a lack of assessment. Therefore, a preliminary assessment of biodiversity has been included as a condition of the Gateway.

Furthermore, as the equivalent legislative department is now the Department of Climate Change, Energy, the Environment and Water, Biodiversity and Conservation Division, a condition has been included to consult them to further assess biodiversity constraints after preliminary assessment has been undertaken by council.

4.2 Social and economic

The planning proposal states that it will have positive social and economic impacts by providing opportunities for additional and varied residential and village development. There is the potential for land use conflict with future residential development as the proposal seeks to rezone land adjoining (and comprising) agricultural uses. However, the land to be rezoned to RU5 and R5 already contains established residential uses, the impact of additional development (or intensification of uses) on surrounding existing agricultural uses would likely be minor.

Furthermore, discussion of demand and supply has been included in the Residential Land Use Strategy which is the basis for this proposal.

4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.

Table 11 Infrastructure assessment

Infrastructure	Assessment
----------------	------------

Sewer infrastructure	<p>The proposal notes that Ariaiah Park is not serviced by reticulated sewer infrastructure and therefore, new development facilitated by the proposed LEP amendment will be required to manage effluent disposal onsite.</p> <p>The proposal seeks to rezone from RU1 to RU5 and reduce the minimum lot size to 2000m² to ensure Council requirements around on-site effluent disposal can be met. Refer to Attachment G for the Sewage Management Chapter of the Temora Shire Development Control Plan 2012.</p>
Water	The planning proposal states the land proposed to be rezoned R5 and RU5 has access to existing infrastructure and services including reticulated water.
Roads and Rail	The proposal does not assess the impact on the local road network. Any upgrades to the road infrastructure would need to be undertaken by council. The proposal is unlikely to have a large impact on local roads and can be considered at any future development application stage. Consultation with Transport for NSW is not required in relation to roads, however as the site is adjacent to a disused railway line and there is the potential for access opportunities it has been required.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate, and forms to the conditions of the Gateway determination. This aligns with the planning proposals categorisation as standard under the LEP Making Guidelines (August 2023), accordingly a community consultation period of 20 working days is recommended.

5.2 Agencies

Council has nominated the public agencies to be consulted about the planning proposal.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Department of Climate Change, Energy, the Environment and Water (DCCEEW)
- Department of Primary industries (Agriculture)
- Transport for NSW

6 Timeframe

Council proposes a 7 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

The Department recommends an LEP completion date of 4 July 2025 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

As the planning proposal is local and consistent with Council's local strategy, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 6.1 Residential Zones and 9.1 Rural Zones are minor and/or justified.
- Note that the consistency with Section 9.1 Directions, 3.2 Heritage Conservation and 4.1 Flooding is unresolved and will require further justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

1. Prior to exhibition and agency consultation the planning proposal is to be updated to:
 - (a) include a current minimum lot size map with appropriate labels and/or legend;
 - (b) amend the zone map to include appropriate colours and labels and/or legend;
 - (c) discuss transport and access, including consideration of the proposals proximity to the (disused) railway line;
 - (d) include further assessment of potential for biodiversity impacts, whether direct or indirect;
 - (e) include further assessment of Aboriginal and non-Aboriginal heritage;
 - (f) include the Arian Park and Springdale Floodplain Risk Management Study and Plan, as referred to in the planning proposal as part of the documents for public exhibition.
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 Climate Change, Energy, the Environment and Water (DCCEEW)
 - Department of Primary industries (Agriculture)
 - Transport for NSW

- NSW State Emergency Services

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).
5. Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority.
6. The timeframe for the LEP to be completed is on or before 4 July 2025.



5/7/24

Meredith McIntyre
Acting Manager, Western, Southern and Macarthur Region,
Local Planning and Council Support



11/7/2024

Chantelle Chow
Acting Director, Western, Southern and Macarthur Region
Local Planning and Council Support

Assessment officer

Jasper Allenby
Planning Officer, Western, Southern and Macarthur Region
9228 6136