

Gateway Determination

Planning proposal (Department Ref: PP-2024-1096): to rezone land at Aria Park to RU5 Village, R5 Large Lot Residential and RU1 Primary Production and amend lot sizes.

I, the A/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 Temora Local Environmental Plan 2010 to rezone land at Aria park to RU5 Village, R5 Large Lot Residential and RU1 Primary Production and amend corresponding minimum lot sizes should proceed subject to the following

Gateway 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 a 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 Aria 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. 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.
6. The LEP should be completed on or before 4 July 2025.

Dated 11 July 2024



Chantelle Chow
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