

Peter Thompson
General Manager
Wagga Wagga City Council
PO Box 20
WAGGA WAGGA NSW 2650

Our ref: PP-2025-493/ IRF25/770

Dear Mr Thompson

Planning proposal (PP-2025-493) to amend Wagga Wagga Local Environmental Plan 2010

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) to amend rezone and remove the minimum lot size provisions for land at Part Lot 2, DP 702230, 11 Farrer Road, Boorooma.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act Direction 4.1 Flooding is justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act Direction 4.3 Planning for bushfire protection. Council should ensure this occurs prior to public exhibition.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 4.3 Planning for bushfire protection will be resolved as part of the consultation process in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 23 February 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The Southern, Western and Macarthur Team should be copied into the request at westernregion@planning.nsw.gov.au. The request must include the drafting instruction template, planning proposal and Gateway determination.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Kimberley Beencke to assist you. Ms Beencke can be contacted on 02 9274 6053.

Yours sincerely



9/4/2025

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

Encl: Gateway determination