



## Gateway Determination

***Planning proposal (Department Ref: PP\_2020\_BLAND\_001\_00): Rezoning and reduction of minimum lot size of Lot 2 DP 62598650 at 50 Mid Western Highway, West Wyalong***

I, the Director, Western Region at the Department of Planning, Industry 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 (LEP) 2011 to permit subdivision and erection of a dwelling house at Lot 2 DP 62598650, 50 Mid Western Highway, West Wyalong through rezoning from RU1 Primary Production to R5 Large Lot Residential, and reduction of minimum lot size from 200ha to 2ha should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal and any other exhibition material are to be amended to reflect a rezoning of Lot 2 DP 62598650 from RU1 Primary Production to R5 Large Lot Residential, and reduction of minimum lot size from 200ha to 2ha.
2. Prior public exhibition, Council is to satisfy the requirements of section 9.1 Ministerial Direction 2.6 Remediation of Contaminated Land. A preliminary review and initial site contamination investigation report is to be prepared in accordance with the contaminated land planning guidelines. Both documents are to be placed on public exhibition with the amended planning proposal.
3. Prior public exhibition, Council is to submit updated documents which demonstrate conditions 1 and 2 of the Gateway determination have been met and request for permission to proceed to public exhibition.
4. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal and the supporting information prepared by Council must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
5. Consultation is required with the Division of Resources and Geoscience under section 3.34(2)(d) of the Act. name of public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 40 days to comment on the proposal.

6. 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).
7. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
8. Prior to submission of the planning proposal under section 3.36 of the Act, the final LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Data sets and Maps' 2017.
9. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 30<sup>th</sup> day of July 2020.



**Damien Pfeiffer**  
**Director, Western Region**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**