

Mr Phil McMurray  
Acting General Manager  
Cootamundra-Gundagai Regional Council  
PO Box 420  
COOTAMUNDRA NSW 2590

Dear Mr McMurray

**Planning proposal PP\_2019\_CGREG\_001 to amend Cootamundra Local Environmental Plan 2013**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to:

- rezone land at Cooper Street from B3 Commercial Core to R1 General Residential with a minimum lot size of 450m<sup>2</sup>;
- rezone land at Adam Street/Murray Street from B3 Commercial Core and R1 General Residential to R3 Medium Density Residential with a minimum lot size of 300m<sup>2</sup>;
- make “restaurant or café” and “takeaway food and drink premises” permissible with consent in the R3 zone;
- introduce the E4 Environmental Living zone to the Cootamundra Local Environmental Plan 2013 and apply that zone to land at Back Brawlin Road with a minimum lot size of 5ha;
- rezone land at Back Brawlin Road & Salt Clay Road from RU1 Primary Production to RU4 Primary Production Small Lots with a minimum lot size of 5ha; and
- amend Schedule 1 - Additional Permitted Uses to permit a feedlot at 358 Jugiong Road Cootamundra.

As delegate of the Minister for Planning, I have now 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 planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones and 1.2 Rural Zones are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions. Consultation with the NSW Rural Fire Service is required in order to comply with section 9.1 Direction 4.4 Planning for Bushfire Protection.

I have also considered and agreed to Council's request to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Ann Martin to assist you. Ann can be contacted on 4247 1826.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Musgrave', is written over a light grey rectangular background.

06/02/2019

**Luke Musgrave**  
**Director Regions, Southern**  
**Planning Services**