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Department Generated Correspondence (Y)

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Our ref: PP_2011_COOMA_001_00 (11/06646)
Your ref: 6626 & PL/STR/24

Mr John Vucic
General Manager
Cooma-Monaro Shire Council
PO Box 714
COOMA NSW 2630

Dear Mr Vucic,

Re: Planning Proposal to rezone Lot 1 DP790570, Ryrie Street Michelago from 1(a)(General Rural Zone) to 2(v)(Village Zone)

I am writing in response to your Council's letter dated 15 April 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Yarrowlumla Local Environmental Plan 2002 to rezone Lot 1 DP790570, Ryrie Street Michelago from 1(a) (General Rural Zone) to 2(v) (Village Zone).

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

It is noted that the draft 20 year strategy for Cooma Monaro is currently under review. Council is to progress this work and seek endorsement of the strategy by the Director General of the Department of Planning and Infrastructure as a matter of priority. Council are also encouraged to expedite preparation of its Principal LEP to provide the community with further certainty as to the strategic direction of the area.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 3.1 Residential Zones and 3.4 Integrating Land Use and Transport are of minor significance. No further approval is required in relation to these Directions.

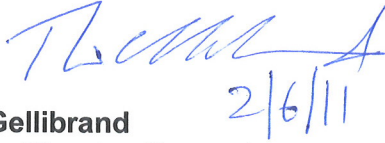
The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Nathan Foster of the Regional Office of the Department on 02 4224 9459.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Gellibrand', with the date '2/6/11' written below it.

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_COOMA_001_00): to rezone Lot 1 DP790570, Ryrie Street Michelago from 1(a)(General Rural Zone) to 2(v)(Village Zone).

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Yarrowlumla Local Environmental Plan 2002 to rezone Lot 1 DP790570, Ryrie Street Michelago from 1(a) (General Rural Zone) to 2(v) (Village Zone) to allow for residential development should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Catchment Management Authority - Murrumbidgee
 - Country Energy
 - Department of Education and Training
 - Office of Environment and Heritage
 - Department of Industry & Investment (Agriculture)
 - NSW Rural Fire Service
 - Roads and Traffic Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated

2nd

day of

June

2011.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning and
Infrastructure