



Goulburn Mulwaree Council
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11 December, 2018

Contact: Kate Wooll
Reference: REZ_0001_1819

Director General
NSW Department of planning
PO Box 5475
WOLLONGONG NSW 2520

Attention: George Curtis

Dear Sir/Madam,

**REQUEST FOR GATEWAY DETERMINATION FOR PLANNING PROPOSAL (GMC
Ref: REZ_0001_1819) – REMOVAL OF CEMETERIES AS A PERMISSIBLE USE
FROM E2 AND E3 ZONES**

Goulburn Mulwaree Council (GMC) has been reviewing the impact of cemeteries in the E2 Environmental Conservation and E3 Environmental Management zones under *Goulburn Mulwaree Local Environmental Plan 2009*. This has been undertaken particularly in view of large scale developments and specifically their impact on environmentally sensitive land.

The issues identified in this review were outlined in a report to Council. In summary it was concluded that *Goulburn Mulwaree Local Environmental Plan (LEP) 2009* does not adequately protect environmentally sensitive land from large scale cemetery development. As a result of this conclusion, and the report presented on 21 August 2018, Council resolved as follows;

1. *The report from the Graduate Strategic Planner on the definition of Cemeteries be received.*
2. *Council staff draft a planning proposal amend the Goulburn Mulwaree Local Environmental Plan 2009 to:*
 - a) *remove Cemeteries as being 'Permissible with Consent' in Zones E2 Environmental Conservation and E3 Environmental Management and;*
 - b) *include Cemeteries as an additional permitted use for the Bungonia (Lot 1 DP 89405 and Lot 2 DP 1130082) and Tallong (Lot 7312 DP 1145878) Cemeteries in Schedule 1 of the Goulburn Mulwaree LEP 2009.*
3. *The Planning Proposal once drafted - be submitted to the Minister of NSW Planning & Environment for a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.*

4. *The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal.*
5. *In the event NSW Planning & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the Gateway Determination.*

Accordingly, Council is requesting that the NSW Department of Planning and Environment provide a gateway determination for this planning proposal (refer to the attached Planning Proposal document).

As noted in Part 5 of the Council resolution, Council is seeking delegation from the NSW Department of Planning and Environment to make – and determine not to make – the proposed LEP under section 3.36 of the *NSW Environmental Planning and Assessment Act, 1979*. The Council resolution only seeks delegation for the Council itself and does not specify that the delegation will extend to a specific officer (such as the General Manager or Director).

Should you have any questions, please do not hesitate to contact me on 02 4823 4408, or alternatively email Kate.Wooll@goulburn.nsw.gov.au.

Yours faithfully



Kate Wooll
Business Manager Strategic Planning