

Ms Ann Prendergast  
General Manager  
Wingecarribee Shire Council  
PO Box 141  
MOSS VALE NSW 2577

Attention: Susan Stannard, Senior Strategic Planner

Dear Ms Prendergast

**Planning proposal PP\_2019\_WINGE\_002\_00 to amend Wingecarribee Local Environmental Plan 2010**

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) on 4 April 2019 in respect of the planning proposal to rezone land on the corner of Old South Road and Bowral Street, Bowral from R5 Large Lot Residential to R2 Low Density Residential and reduce the minimum lot size from 4,000 m<sup>2</sup> to 1,000 m<sup>2</sup>.

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 inconsistency with section 9.1 Direction 4.3 Flood Prone Land 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 section 9.1 Directions 4.4 Planning for Bushfire Protection and 5.2 Sydney Drinking Water Catchment. Council should ensure this occurs prior to the plan being made.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council 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 enquiries about this matter, I have arranged for Mr Andrew Hartcher to assist you. Mr Hartcher can be contacted on 4247 1823.

Yours sincerely

 23/5/19

**Ben Eveleigh**  
**Director Regions, Southern**  
**Planning Services**

Encl: Gateway determination  
Authorised plan-making reporting template