



Planning & Environment

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

Our ref: PP_2017_WINGE_001_00

Dear Ms Prendergast

Planning Proposal (PP_WINGE_2017_001_00) to amend Wingecarribee Local Environmental Plan 2010.

I am writing in response to Council's letter dated 21 February 2017 requesting a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 5 April 2017 in respect of the Planning Proposal to amend certain clauses and maps in Wingecarribee LEP 2010.

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

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 18 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 54(2)(d) of the Act if the timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Ann Martin of the Department's Southern Region office to assist you. Ms Martin can be contacted on 4224 9466.

Yours sincerely

Deanne Frankel
A/Director Regions, Southern
Planning Services
Department of Planning and Environment

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template

Gateway Determination

Planning Proposal (Department Ref: PP_2017_WINGE_001_00): to add new clauses, amend certain clauses, Land Use Tables and maps and add new maps in Wingecarribee LEP 2010.

I, the A/Director Regions, Southern, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under Section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Wingecarribee Local Environmental Plan (LEP) 2010 to add clauses, and amend certain clauses, land use tables and amend existing maps and insert new maps in Wingecarribee LEP 2010 should proceed subject to the following conditions:

1. Council is to provide a clear statement of Objectives in the Planning Proposal prior to community consultation.
2. Community consultation is required under Sections 56(2)(c) and 57 of the Act as follows:
 - (a) the Planning Proposal must be made publicly available for a minimum of **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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and/or organisations under Section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Water NSW
 - NSW Rural Fire Service
 - Office of Environment and Heritage.

Council shall consult with Water NSW and the NSW Rural Fire Service prior to community consultation and shall take into account any comments made.

Each public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under Section 56(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).
5. The timeframe for completing the LEP is to be **18 months** following the date of the Gateway determination.



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6. The final LEP maps shall be prepared in accordance with the requirements of the Department's "Standard Technical Requirements for Spatial Datasets and Maps" Version: 1.0 November 2015.

Dated 9 day of May 2017

Deanne Frankel
A/Director Regions, Southern
Planning Services
Department of Planning and Environment



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Wingecarribee Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_WINGE_001_00	Planning proposal to add clauses, and amend certain clauses, land use tables and amend existing maps and insert new maps in Wingecarribee LEP 2010

In exercising the Minister's functions under Section 59 of the EP&A Act, the Council must comply with the Department's "*A guide to preparing local environmental plans 2016*" and "*A guide to preparing planning proposals 2016*".

Dated

9 / 5 / 2017

Deanne Frankel
A/Director Regions, Southern
Planning Services
Department of Planning and Environment

