

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

Attention: Susan Stannard, Senior Strategic Land Use Planner

Dear Ms Prendergast

**Planning proposal [PP\_2018\_WINGE\_008\_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) in respect of the planning proposal to permit a dwelling house on land located at Park Avenue, Aylmerton (Lot 2 DP 854905).

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 2.1 Environmental Protection Zones and 5.2 Sydney Drinking Water Catchment are minor and justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

It is noted that at this stage, the planning proposal is neither consistent nor inconsistent with Direction 4.4 Planning for Bushfire Protection which requires consultation with the NSW Rural Fire Service (RFS) post Gateway Determination and prior to public exhibition. A condition has therefore been included on the Gateway Determination requiring consultation with the RFS prior to public exhibition.

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 6 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 Mr Andrew Hartcher, Senior Planning Officer, Southern Region to assist you. Andrew can be contacted on (02) 4224 9473.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Musgrave', is positioned above the printed name and title.

23/11/2018

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

Encl: Gateway determination  
Authorised plan-making reporting template