

Gateway Determination


Planning proposal (Department Ref: PP_2019_GOULB_001_00): to amend the Goulburn Mulwaree LEP 2009 to permit a restaurant or café on Lot 16, DP 1069310, 745 Crookwell Road, Kingsdale.

I, the Acting Director Regions, Southern at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Goulburn Mulwaree Local Environmental Plan (LEP) 2009 to permit a restaurant or café on Lot 16, DP 1069310, 745 Crookwell Road, Kingsdale, should proceed subject to the following conditions:

1. Prior to exhibition further consultation with WaterNSW is required to more fully address all relevant issues, including NorBE (Neutral or Beneficial Effect) referred to in WaterNSW's letter to Stimson and Baker Planning dated 13 November 2017. Any additional information provided is to be included in the exhibition of the planning proposal.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
4. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 28th day of February 2019.

A handwritten signature in dark ink, appearing to read 'Gm Towers'.

Graham Towers
Acting Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning