



Planning & Infrastructure

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Our ref: PP_2012_WINGE_003_00 (12/07387)
Your ref: 5901/15

Mr Jason Gordon
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Dear Mr Gordon,

Planning proposal to reclassify land at Mittagong and Jellore Streets, Welby from 'community' land to 'operational' land for the purpose of relocating a demountable building to accommodate the Southern Highlands Foursquare Church.

I am writing in response to your Council's letter dated 20 April 2012 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Wingecarribee Local Environmental Plan 2010 to reclassify land at Mittagong and Jellore Streets, Welby from 'community' land to 'operational' land for the purpose of relocating a demountable building to accommodate the Southern Highlands Foursquare Church.

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

Council is reminded of its obligations for exhibiting and conducting a public hearing when reclassifying land from 'community' to 'operational' land as per the Department's LEP Practice Note PN-003.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Ann Martin of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,

Sam Haddad
Director-General

1/6/2012.

Gateway Determination

Planning Proposal (Department Ref: PP_2012_WINGE_003_00): to reclassify land at Mittagong and Jellore Streets, Welby from 'community' land to 'operational' land for the purpose of relocating a demountable building to accommodate the Southern Highlands Foursquare Church.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Wingecarribee Local Environmental Plan 2010 to reclassify **land at Mittagong and Jellore Streets, Welby** from 'community' land to 'operational' land for the purpose of relocating a demountable building to accommodate the Southern Highlands Foursquare Church should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Sydney Metropolitan Catchment Management Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
3. Further to Condition 2 above, Council is to consult the Sydney Metropolitan Catchment Management Authority in relation to the planning proposal's inconsistencies with the requirements of S117 Direction 5.2 Sydney Drinking Water Catchments. Council should amend the planning proposal, if necessary, to reflect the outcomes of the consultation for public exhibition purposes.
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 EP&A 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 **9 months** from the week following the date of the Gateway determination.



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Dated

1st

day of

June

2012.

SHaddad

Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure