



Planning



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10/20083

Department Generated Correspondence (Y)

Mr John Vucic
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Our ref: PP_2010_COOMA_002_00 (10/16978)
Your ref: Sue Robb (SR:CL)

Dear Mr Vucic,

Re: Planning Proposal to allow subdivision for infrastructure purposes in the Cooma-Monaro LGA

I refer to the Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the above planning proposal and to Council's request to amend this Determination by including the Environmental Protection (Scenic) 7(d) zone.

As delegate of the Minister for Planning, I have now amended the Determination under section 56(7) of the EP&A Act in the manner set out in the attached Gateway Determination.

The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of this 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 Nathan Foster of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,

11/10/10
Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_COOMA_002_00): to allow subdivision for infrastructure purposes in the Cooma-Monaro LGA within the Rural 1(a) Zone and the Environmental Protection (Scenic) 7(d) Zone.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Cooma-Monaro Local Environmental Plan 1999 – (Rural) to allow subdivision for infrastructure purposes in the Cooma-Monaro LGA within the Rural 1(a) Zone and the Environmental Protection (Scenic) 7(d) zone, should proceed subject to the following conditions:

1. Council should clearly indicate in the material on exhibition whether the proposal will impact on both private and public infrastructure and that the amendments to the Local Environmental Plan will not infer a dwelling entitlement on allotments created.
2. 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 and 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).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Environment, Climate Change & Water
 - Department of Primary Industry (Agriculture)
 - Department of Primary Industry (Mining)
 - Department of Water and Energy
 - NSW Transport and Infrastructure

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.

4. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated

11th

day of

October

2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning