



Contact: Meredith McIntyre
Phone: 02 6229 7912
Email: Meredith.mcintyre@planning.nsw.gov.au

Our ref: PP_2014_WINGE_010
(14/05160-1)

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

Attention: David Matthews

Dear Ms Prendergast,

Planning proposal to amend Wingecarribee Local Environmental Plan 2010

I am writing in response to your Council's email dated 24/10/2014 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 reclassify Part of Lot 1 and 2, DP 1138229.

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.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that it is appropriate to create access to Lot 6, DP 1189022 through community land. No further approval is required in relation to this Direction.

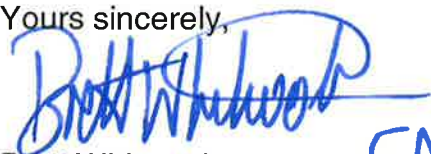
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan as the Governor's approval will be required to extinguish interests over the subject land.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 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 section 54(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, I have arranged for Ms Meredith McIntyre of the Department's regional office to assist you. Meredith can be contacted on (02) 6229 7912.

Yours sincerely,



Brett Whitworth
General Manager
Southern Region
Planning Services

5 November 2014

Encl:
Gateway Determination

Gateway Determination Delegation Checklist - Southern Region

PP 2014 WINGE 010 00

The Plan Making Protocol for issuing a Gateway determination states that the General Manager **MUST NOT** issue a Gateway determination under delegation where:

Criteria	
1. The matter is of State or regional significance	N
2. Issuing the Gateway determination would result in the planning proposal being contrary to the position of council; or	N
3. If it is determined that a Gateway determination should not be issued and the planning proposal should not proceed.	N

Local Planner Recommendation:

Delegate Gateway to GM: ☒ Y ☐ N	Comment:
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Signed:

Name: Meredith McIntyre

Position: PO1

Southern Region

Date: 31/10/14

Senior Planner/Team Leader Recommendation:

Delegate Gateway to GM: ☒ Y ☐ N	Comment: Minor LEP. Consistent with Council position.
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Endorsement:

Name: Senior Planner Southern Region Date:	Name Team Leader Southern Region Date:
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*Agreed
BW*

Gateway Determination

Planning proposal (Department Ref: PP_2014_WINGE_010_00): to reclassify Part of Lot 1 and 2, DP 1138229.

I, the General Manager, Southern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Wingecarribee Local Environmental Plan (LEP) 2010 to reclassify Part of Lot 1 and 2, DP 1138229 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 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 LEPs (Department of Planning and Environment 2013)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act
3. 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).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 5th day of November 2014.



Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning