

Mr Peter Tegart
General Manager
Queanbeyan City Council
PO Box 90
Queanbeyan NSW 2620

Our ref: PP_2015_QUEAN_002_00

Attention: Arthean McBride

Dear Mr Tegart

Planning proposal to amend Queanbeyan Local Environmental Plan 2012

I am writing in response to your Council's letter dated 27 August 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to alter the location of the Dunn's Creek Road alignment as currently provided for under the relevant maps for *Queanbeyan (South Tralee) Local Environmental Plan (LEP) 2012*.

I note the Council has identified two potential routes that are subject to final agreement from the ACT Government. It is important that Council continue to consult with the ACT Government on the second connection to the South Jerrabomberra residential area.

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. I have included a requirement for Council to consult with the ACT Government given the potential of the new road to connect to the ACT roads network.

I have also agreed that any inconsistencies in the planning proposal with any S117 Direction are of minor significance in the circumstances. No further approval is required in relation to any S117 directions.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 18 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 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's Regional Office for administrative purposes.

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 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 Martin Brown of the Department's Queanbeyan office to assist you. Martin can be contacted on (02) 6229 7913.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Brett Whitworth', with a long horizontal flourish extending to the right.

14 September 2015

**Brett Whitworth
General Manager
Southern Region
Planning Services**

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2015_QUEAN_002_00): to alter the location of the Dunn's Creek Road alignment as currently provided for under the relevant maps for Queanbeyan (South Tralee) Local Environmental Plan (LEP) 2012.

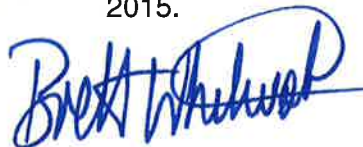
I, the General Manager, Southern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Queanbeyan Local Environmental Plan (LEP) 2012 to alter the location of the Dunn's Creek Road alignment as currently provided for under the relevant maps for *Queanbeyan (South Tralee) Local Environmental Plan (LEP) 2012*, 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* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **14 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. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - NSW Roads and Maritime Services
 - NSW Office of Environment and Heritage
 - ACT Government

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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 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 **18 months** from the week following the date of the Gateway determination.

Dated 14th day of September 2015.



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

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Queanbeyan City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_QUEAN_002_00	Planning proposal to alter the location of the Dunn's Creek Road alignment as currently provided for under the relevant maps for <i>Queanbeyan (South Tralee) Local Environmental Plan (LEP) 2012</i>

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated

14th September 2015

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