

## Gateway Determination

***Planning proposal (Department Ref: PP\_2019\_GOULB\_003\_00): to include the RU6 Transition Zone within clauses 4.1AA (Minimum subdivision lot size for community title schemes) and 4.2B (Minimum subdivision lot size for strata subdivision of residential or tourist and visitor accommodation in certain zones) of the Goulburn Mulwaree LEP 2009 in relation to the application of minimum allotment sizes specified in clause 4.1.***

I, the 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 as described above should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to consultation to:
  - clarify, in the statement of objectives and outcomes, the intent of the planning proposal to ensure that strata and community title subdivision of land zoned RU6 Transition meets the minimum lot size requirement for the land provided on lot size maps in the LEP.
  - include a copy of the relevant provisions of the LEP proposed to be amended.
  - include a map(s) showing the location of all land zoned RU6 Transition affected by the planning proposal.
  - include assessment of consistency of the planning proposal with Section 9.1 Direction 5.10 Implementation of Regional Plans.
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 is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 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. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- NSW Rural Fire Service (S9.1 Direction 4.4 Planning for Bushfire Protection)
- WaterNSW (S9.1 Direction 5.2 Sydney Drinking Water Catchments)

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.

4. 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).
5. 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.
6. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 1st day of May 2019.



**Ben Eveleigh**  
**Director Regions, Southern**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**