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Ms Emma-Jayne Leckie
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Goulburn NSW 2580

Our ref: PP_2016_GOULB_003_00 (16/10602)
Your ref: REZ/0003/1516

Attention: William Oxley, Strategic Planning Officer

Dear Ms Leckie

Planning proposal to amend Goulburn-Mulwaree Local Environmental Plan 2009

I am writing in response to your Council's letter dated 4 August 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to make a number of housekeeping amendments and corrections to the *Goulburn-Mulwaree Local Environmental Plan 2009*.

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 also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environment Protection Zones and 3.3 Residential Zones are of minor significance.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the zoning of land at Marys Mount Road, Goulburn (Lot 115 DP1188353) for public purposes on the basis that the land is intended for a neighbourhood park but is incorrectly zoned R2 Low Density Residential.

No further approval is required in relation to these Directions.

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 to issue an authorisation for Council to exercise delegation to make this plan.

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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

Council should submit copies of draft LEP maps and spatial data (as well as a copy of the final Planning Proposal and Council's Section 59 Report) to the Department via the NSW Planning Portal which can be accessed via <http://www.planningportal.nsw.gov.au>. It would be appreciated if Council could also email the Southern Region office to notify that it has uploaded this information to the Portal.

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 Mr George Curtis of the Department's Southern regional office to assist you. Mr Curtis can be contacted on telephone 4224 9465.

Yours sincerely

A handwritten signature in cursive script, followed by the date '15/9/16' written in a similar style.

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

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



Gateway Determination

Planning proposal (Department Ref: PP_2016_GOULB_003_00): to make a number of housekeeping amendments and corrections to the Goulburn-Mulwaree Local Environmental Plan 2009.

I, Linda Davis, the Acting Director Regions, Southern, Planning Services, 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 *Goulburn-Mulwaree Local Environmental Plan (LEP) 2009* as described above 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 **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. 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 Rural Fire Service
 - Office of Environment and Heritage
 - WaterNSW

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 LEP maps shall be prepared in accordance with the *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment, 2015).
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 15th day of September 2016

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Goulburn-Mulwaree 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_2016_GOULB_003_00	Planning proposal to make a number of housekeeping amendments and corrections to the <i>Goulburn-Mulwaree Local Environmental Plan 2009</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 15/9/2016

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment