

Contact: George Curtis
Phone: (02) 4224 9465
Fax: (02) 4224 9470

Email: george.curtis@planning.nsw.gov.au
Postal: PO Box 5475, Wollongong, NSW,
2520
Our ref: PP_2009_GOUL_001_00
(10/18600)
Your ref: JGM : CG

Mr John Massey
Manager Strategic Planning
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Dear Mr Massey

Re: Revised Goulburn Mulwaree Rural Lands Planning Proposal

I am writing in response to your Council's letter dated 23 June 2010 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the revised planning proposal to amend the Goulburn Mulwaree Local Environmental Plan 2009 (Amendment No 2) to:

- a) introduce a range of rural lot sizes;
- b) extend the current 2 hectare minimum lot size in the western edge of Goulburn City;
- c) introduce a 1 hectare minimum lot size adjacent to the former Towrang railway station;
- d) introduce an averaging lot size local clause which applies to areas zoned E3 Environmental Management;
- e) identify additional environmentally sensitive areas including biodiversity links;
- f) correct minor zoning map drafting errors;
- g) amend the zoning and minimum lot size provisions for lands added to the LGA through an adjustment to the Local Government Boundary;
- h) introduce additional zoning changes including new:
 - E3- Environmental Management areas east of Goulburn and at Marulan, Tallong, Bungonia and Tarago;
 - RU2- Rural landscape areas;
 - RU6- Transitional areas; and
 - R5- Large Lot Residential area adjacent to the western peri-urban edge of Goulburn City.
- i) introduce additional model local clauses which intend:
 - To achieve planned residential density in certain zones; and
 - To encourage housing diversity without adversely impacting on residential amenity; and
- j) rectify an oversight of no minimum lot size over part Lot 14 DP 1102589 at Ducks Lane, Goulburn.

As delegate of the Minister for Planning, I have now determined that the revised planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The planning proposal 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 within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the Local Environmental Plan should be made six (6) weeks prior to the projected publication date.

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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 George Curtis of the Regional Office of the Department on 02 4224 9465.

Yours sincerely,



23/9/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2009_GOUL_001_00): to amend the planning controls relating to rural lands across the Goulburn Mulwaree LGA and to introduce additional model local clauses which intend to achieve planned residential density in certain zones across the LGA and to encourage housing diversity without adversely impacting on residential amenity.

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 Goulburn Mulwaree Local Environmental Plan 2010 to:

- (a) introduce a range of rural lot sizes;
- (b) extend the current 2 hectare minimum lot size on the western edge of Goulburn City;
- (c) introduce a 1 hectare minimum lot size adjacent to the former Towrang railway station;
- (d) introduce an averaging lot size local clause which applies to areas zoned E3 Environmental Management;
- (e) identify additional environmentally sensitive areas including biodiversity links;
- (f) correct minor zoning map drafting errors;
- (g) amend the zoning and minimum lot size provisions for lands added to the LGA through an adjustment to the Local Government Boundary.
- (h) introduce additional zoning changes including new:
 - E3-Environmental Management areas east of Goulburn and at Marulan, Tallong, Bungonia and Tarago
 - RU2- Rural landscape areas.
 - RU6- Transition areas; and
 - R5- Large Lot Residential area adjacent to the western peri-urban edge of Goulburn City.
- (i) introduce additional model local clauses which intend:
 - to achieve planned residential density in certain zones and
 - to encourage housing diversity without adversely impacting on residential amenity; and
- (j) rectify an oversight of no minimum lot size over part lot 14 DP 1102589 at Ducks Lane, Goulburn.

should proceed subject to the following conditions:

1. The matter should proceed with the following variation:
 - (a) Revision of the model local lot averaging clause to allow Torrens title subdivision with a dwelling on the residue lot and a restriction on further subdivision under the clause.
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 is not classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* 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 under section 56(2)(d) of the EP&A Act is only required with the following State public authorities that will or may be adversely affected by the proposed instrument:
 - Sydney Catchment Authority
 - Hawkesbury Nepean and Southern Rivers Catchment Management Authorities.
 - Department of Environment, Climate Change and Water
 - NSW Office of Water
 - Department of Industry and Investment (Agriculture/Fisheries)
- 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 **12 months** from the week following the date of this Gateway determination.

Dated 23rd day of September 2010.



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