

Gateway Determination

Planning Proposal (Department Ref: PP_2017_QPREG_004_00): Amend Queanbeyan Local Environmental Plan 2012 - Schedule 1 Additional Permitted Uses to permit a cemetery and crematorium on Lot 2 DP 112382 and Lot 126 DP 754881 Old Cooma Road Queanbeyan.

I, the Director Regions Southern, 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* that an amendment to the Queanbeyan Local Environmental Plan (LEP) 2012 to permit a *cemetery* and *crematorium* on Lot 2 DP 112382 and Lot 126 DP 754881 Old Cooma Road Queanbeyan should proceed subject to the following conditions:

1. The planning proposal is to be amended to include the following additional studies as part of community consultation:
 - Cultural Heritage Study
 - Flora and Fauna Study
 - Geotechnical Study
 - Hydrological Study
 - Traffic and Transport Impact Assessment
 - Visual and Noise Assessment
 - Social Impact Assessment.
2. Copies of the additional studies are to be provided to the Department prior to community consultation.
3. Community consultation is required under sections 56(2)(c) and 57 of the 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 local environmental plans* (Department of Planning and Environment 2016).
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and to comply with the requirements of relevant Section 117 Directions:
 - NSW Health
 - Office of Environment and Heritage
 - NSW Police
 - NSW Rural Fire Service

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.

5. Consultation is required with the NSW Rural Fire Service prior to community consultation in accordance with s117 Direction 4.4 Planning for Bushfire Protection.
6. 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).
7. The timeframe for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 25th day of August 2017



Fatima Abbas
Director Regions
Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning



Peter Tegart
General Manager
Queanbeyan Palerang Regional Council
PO Box 90
QUEANBEYAN NSW 2620

Dear Mr Tegart

Planning Proposal PP_2017_QPREG_004_00 to amend Queanbeyan Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* on the 14 August 2017 and additional information received on 18 August 2017 in respect of the Planning Proposal to amend Schedule 1 Additional Uses in Queanbeyan LEP 2012 to permit a *cemetery* and *crematorium* on Lot 2 DP 112382 and Lot 126 DP 754881 Old Cooma Road, Queanbeyan.

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 considered Council's decision not to use its delegation for plan making and I have therefore determined not to issue Council with an authorisation to use its delegation. I have made this decision to ensure that the final plan adopted by Council for this proposal is independently assessed by the Department.

The amending Local Environmental Plan (LEP) is to be finalised within 18 months of the date of the Gateway determination. Council should aim to prepare the additional studies and 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 eight 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 Act if the timeframes outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Graham Judge to assist you. Mr Judge can be contacted on 02 6229 7906.

Yours sincerely

Fatima Abbas
Director Regions, Southern
Planning Services 25.8.17

Encl: Gateway Determination