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Our ref: PP_2011_WINGE_002_00 (PWG000485)
Your ref: 5901/6

Mr Jason Gordon
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Dear Mr Gordon,

Re: Planning Proposal to correct a number of errors in Wingecarribee Local Environmental Plan 2010 with regards to zoning or notation

I am writing in response to your Council's letter dated 4 February 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Wingecarribee Local Environmental Plan 2010 to correct a number of errors with regards to zoning or notation, including amendments to the legend for Riparian Land on the Natural Resources Sensitivity Map; to correct property description errors in Schedule 1 and the Local Clauses Map, Schedule 1 Maps; to rezone Lot 1 DP 1067486 from R2 Low Density Residential to RE1 Public Recreation; and to rezone Lot 1 DP 743008 from part SP2 Infrastructure and part R2 Low Density Residential to R2 Low Density Residential.

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

Council is to exhibit the planning proposal for a period of 14 days to ensure the community is clearly informed of the amendments to the LEP. In doing so, Council is to consult the owners of affected properties, but are not required to consult with those affected by the changes to item 1, being an amendment to the Natural Resources Sensitivity Map Legend, or item 2, being properties affected by errors in the property description.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Directions 3.1 Residential Zones and 5.2 Sydney Drinking Water Catchments are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 LEP should be made six (6) 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 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 Ann Martin of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Gellibrand', with a long horizontal stroke extending to the right.

Tom Gellibrand 2/5/11
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_WINGE_002_00): to amend the Wingecarribee Local Environmental Plan 2010 to correct a number of errors with regards to zoning or notation

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Wingecarribee Local Environmental Plan 2010 to correct a number of errors with regards to zoning or notation, as follows:

- Item 1. Amend the legend for Riparian Land on the Natural Resources Sensitivity Map to show Category 2 (Aquatic and Terrestrial Habitat) as green instead of blue, and Category 3 (Bank Stability and Water Quality) as blue instead of green;
- Item 2. Amend Schedule 1 to correct certain property description errors and amend the relevant Schedule 1 Map Sheets to correct the reference numbers shown on those maps;
- Item 3. Amend the Land Zoning Map LZN_007G to rezone Lot 1 DP 1067486 from R2 Low Density Residential to RE1 Public Recreation;
- Item 4. Amend the Land Zoning Map LZN_007J to rezone Lot 1 DP 743008 from Part SP2 Infrastructure and part R2 Low Density Residential to all R2 Low Density Residential

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 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
 - (c) the property owners affected by the planning proposal are to be consulted with the exception of those property owners affected by item 1 of the planning proposal.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 EP&A 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 **6 months** from the week following the date of the Gateway determination.

Dated *2nd* day of *May* 2011.

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