



Mr Ken Trethewey
General Manager
Cootamundra Shire Council
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Our ref: PP_2015_COOTA_001_00 (15/04155)

Dear Mr Trethewey

Planning proposal to amend Cootamundra Local Environmental Plan 2013

I am writing in response to your Council's letter dated 26 February 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Schedule 1 (Additional permitted uses) to allow 'Light industry' (being a commercial printing works) on Lot 1 DP663134, 72 Parker Street Cootamundra.

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.

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 is to be finalised within 6 months of the week following the date of the Gateway determination. As it has been determined this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting the instrument as soon as possible. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 *Environmental Planning and Assessment Act 1979* 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 Nathan Foster of the Department's regional office to assist you. Mr Foster can be contacted on (02) 4224 9459.

Yours sincerely



14 March 2015

**Brett Whitworth
General Manager
Southern Region
Planning Services**

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2015_COOTA_001_00): to amend Schedule 1 (Additional permitted uses) to allow light Industries (being a commercial printing works) on Lot 1 DP663134, 72 Parker Street Cootamundra.

I, the General Manager, Southern Region 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 Cootamundra Local Environmental Plan 2013 to amend Schedule 1 (Additional permitted uses) to allow 'light industry (being a commercial printing works)' on Lot 1 DP663134, 72 Parker Street Cootamundra, 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 is classified as low impact as described in A guide to preparing LEPs (Department of Planning and Environment 2013) and must be made publicly available for a minimum of **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 5.5.2 of A guide to preparing Local Environmental Plans (Department of Planning and Environment 2013).
2. No consultation is required with public authorities under section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*.
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 *Environmental Planning and Assessment Act 1979*. 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 Local Environmental Plan is to be **6 months** from the week following the date of the Gateway determination.

Dated 14th day of March 2015

Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Cootamunda Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* (the Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_COOTA_001_00	Planning proposal to amend Schedule 1 (Additional permitted uses) to allow light Industries (being a commercial printing works) on Lot 1 DP663134, 72 Parker Street Cootamundra.

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 14th March 2015

Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment