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

Our ref: PP\_2013\_WINGE\_006\_00 (13/07789-1)  
Your ref: 5901/23

Dear Mr Gordon,

**Planning proposal to amend Wingecarribee Local Environmental Plan 2010**

I am writing in response to your Council's letter dated 26 April 2013 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 correct a zoning error by rezoning Lot 3 DP 1076561 Merrioola, at 205 High Range Lane, High Range from E2 Environmental Conservation to RU2 Rural Landscape and applying a minimum lot size of 40ha to the subject land.

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

The Minister delegated his plan making powers to councils 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. Council should contact the regional office of the department should it require assistance with access to GIS support.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway determination. As it has been determined that this a minor amendment, Council is not required to undertake community consultation for the planning proposal and 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 for administrative purposes.

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 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 Meredith McIntyre of the regional office of the department on 02 6229 7900.

Yours sincerely,

**Neil McGaffin**  
Executive Director  
Rural and Regional Planning

## Gateway Determination

**Planning proposal (Department Ref: PP\_2013\_WINGE\_006\_00):** to correct a zoning error by rezoning and applying a minimum lot size for land at High Range.

I, the Executive Director, Rural and Regional Planning at the Department of Planning and Infrastructure 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 (LEP) 2010 to correct a zoning error by rezoning Lot 3 DP 1076561 Merrioola, at 205 High Range Lane, High Range from E2 Environmental Conservation to RU2 Rural Landscape and applying a minimum lot size of 40ha to the subject land should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
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 **3 months** from the week following the date of the Gateway determination.

Dated

4<sup>th</sup>

day of

June

2013.



**Neil McGaffin**  
Executive Director  
Rural and Regional Planning  
Department of Planning and Infrastructure

**Delegate of the Minister for Planning and  
Infrastructure**



**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Wingecarribee Shire Council is authorised to exercise the functions of the Minister for Planning and Infrastructure 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_2013_WINGE_006_00	Planning proposal to correct a zoning error by rezoning Lot 3 DP 1076561 Merrioola, at 205 High Range Lane, High Range from E2 Environmental Conservation to RU2 Rural Landscape and applying a minimum lot size of 40ha to the subject land.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans" and "A guide to preparing planning proposals".

Dated *7 June* 2013

  
Neil McGaffin  
**Executive Director**  
**Rural and Regional Planning**  
**Department of Planning and Infrastructure**

## Attachment 5 – Delegated plan making reporting template

### Reporting template for delegated LEP amendments

#### Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

**Table 1 – To be completed by the department**

Stage	Date/Details
Planning Proposal Number	PP_2013_WINGE_006_00
Date Sent to Department under s56	26/04/2013
Date considered at LEP Review Panel	31/05/2013
Gateway determination date	04/06/2013

**Table 2 – To be completed by the RPA**

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

**Table 3 – To be completed by the department**

Stage	Date/Details
Notification Date and details	

#### Additional relevant information: