



Planning & Environment

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Our ref: PP_2017_GOULB_001_00 (17/08241)
Your ref: REZ/001/1617

Ms Emma-Jayne Leckie
Business Manager Planning & Strategic Outcomes
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Dear Ms Leckie

Planning Proposal - 150 and 170 Landsdowne Street, Goulburn (PP_2017_GOULB_001_00) to amend Goulburn Mulwaree Local Environmental Plan 2009

I am writing in response to your Council's letter dated 9 June 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal seeking to rezone land at 150 and 170 Landsdowne Street, Goulburn in the Goulburn Mulwaree Local Environmental Plan 2009.

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 also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with Section 117 Direction 1.1 Business and Industrial Zones is justified by the Goulburn Mulwaree Employment Land Strategy which was recently endorsed by the Department.

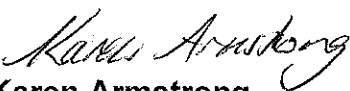
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) 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 as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. 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 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 time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr George Curtis of the Department's Southern regional office to assist you. Mr Curtis can be contacted on 4224 9465.

Yours sincerely

 13/2/17
Karen Armstrong
Director Regions, Southern
Planning Services
Department of Planning and Environment

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2017_GOULB_001_00): to rezone, change the minimum lot size and floor space ratio applying to the former Goulburn drive-in movie theatre holdings and adjoining land at 150 and 170 Lansdowne Street to allow for large lot residential development and environmental protection of part of the land containing significant native vegetation.

I, Karen Armstrong, 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 Goulburn Mulwaree Local Environmental Plan (LEP) 2009 as described above should proceed subject to the following conditions:

1. Prior to consultation a "Stage 1 – Preliminary Investigation" is to be prepared in accordance with the "Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land 1998" prepared by the Department of Urban Affairs and Planning and the Environment Protection Authority. Following the completion of the Stage 1 Investigation, Council shall consider the need for a "Stage 2 – Detailed Investigation" to be undertaken in accordance with the Managing Land Contamination Planning Guidelines. Any report(s) on the investigations are to be exhibited with the Planning Proposal.

2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Rural Fire Service (under s117 Direction 4.4 prior to community consultation)
- Office of Environment and Heritage; and
- WaterNSW

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, 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.

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 **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 (Planning and Environment 2016)'.

4. No public hearing is required to be held into the matter 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).



5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated *13th* day of *July* 2017

Karen Armstrong
Karen Armstrong
Director Regions, Southern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Goulburn Mulwaree Council is authorised to exercise the functions of the Minister for Planning 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_2017_GOULB_001_00	Planning Proposal to rezone, change the minimum lot size and floor space ratio applying to the former Goulburn drive-in movie theatre holdings and adjoining land at 150 and 170 Lansdowne Street to allow for large lot residential development and environmental protection of part of the land containing significant native vegetation.

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 13th July 2017


Karen Armstrong
Director Regions, Southern
Planning Services
Department of Planning and Environment