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Contact: Nathan Foster  
Phone: (02) 4224 9459  
Email: [nathan.foster@planning.nsw.gov.au](mailto:nathan.foster@planning.nsw.gov.au)

Joseph Vescio  
Interim General Manager  
Snowy Monaro Regional Council  
PO Box 714  
Cooma NSW 2630

Our ref: PP\_2016\_SMONA\_001\_00  
Our File Number: (16/10076)

Dear Mr Vescio

### **Planning Proposal to amend Snowy River Local Environmental Plan 2013**

I am writing in response to Council's letter dated 18 July 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify and rezone land, being part Lot 20 DP 219584, Kosciuszko Rd Jindabyne.

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.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis of the minor scale and site specific characteristics of the subject land. No further approval is required in relation to this Direction.

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. As per the Department's policy following the merging of a number of Councils across NSW, planning proposals involving the reclassification of community land are not able to be delegated to Councils for finalisation.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months from the date of the Gateway determination. Council should aim to 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 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 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 Nathan Foster of the Department's regional office to assist you. Mr Foster can be contacted on (02) 4224 9459.

Yours sincerely

 12/8/16

**Linda Davis**  
**Acting Director Regions, Southern**  
**Planning Services**  
**Department of Planning and Environment**

Encl:  
Gateway Determination



## Gateway Determination

**Planning proposal (Department Ref: PP\_2016\_SMONA\_001\_00):** to reclassify and rezone land being part Lot 20 DP 219584, Kosciuszko Rd Jindabyne

I, the Acting 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* (the Act) that an amendment to the Snowy River Local Environmental Plan (LEP) 2013 to reclassify and rezone land being part Lot 20 DP 219584, Kosciuszko Rd Jindabyne 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 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 LEPs (Department of Planning and Environment 2013).
2. Consultation is required with Transport for NSW – Roads And Maritime under section 56(2)(d) of the Act. Roads And Maritime Services 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.
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 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 LEP maps shall be prepared in accordance with the Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment, 2015).
5. The timeframe for completing the LEP is to be **9 months** from the date of the Gateway determination.

Dated

12<sup>th</sup>

day of

August

2016

**Linda Davis**  
Acting Director Regions, Southern  
Planning Services  
Department of Planning and Environment  
Delegate of the Minister for Planning