



Planning & Environment

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Our ref: PP_2015_001_00 (14/20907-1)

Ms Ann Prendergast
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Attention: David Matthews

Dear Ms Prendergast,

Planning proposal to amend Wingecarribee Local Environmental Plan 2010

I am writing in response to your Council's email 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 rezone, amend lot sizes and reclassify land relating to the 'Anthem' retirement village.

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 there are no inconsistencies in the planning proposal with the S117 Directions. No further approvals are required in relation to these Directions.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has not requested to be issued with delegation for this planning proposal as the land requires reclassification. However, having considered the nature of Council's planning proposal and as no interests in the land are proposed to be changed I 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 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 6 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 EP&A 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 Ms Meredith McIntyre of the Department's regional office to assist you. Meredith can be contacted on (02) 6229 7912.

Yours sincerely,



14/1/15

Linda Davis
Acting 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_WINGE_001_00) to:

- a) *Rezone Part of Lot 1, DP 1105017, Bowral from RE1 Public Recreation to R2 Low Density Residential and amend the Lot Size Map to apply 700sqm to the site,*
- b) *Reclassify Lot 3 and 4, DP 550860, Bowral from 'Community' to 'Operational' land with no interests changed, and*
- c) *Rezone Lot 4, DP 550860, Bowral from RE1 Public Recreation to R2 Low Density Residential and amend the Lot Size Map to apply 700sqm to the site.*

I, the A/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 EP&A Act that an amendment to the Wingecarribee Local Environmental Plan (LEP) 2010 to rezone, amend lot sizes and reclassify land relating to the 'Anthem' retirement village 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 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. 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 **12 months** from the date of the Gateway determination.

Dated 14th day of January 2015.



Linda Davis
Acting General Manager
Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Wingecarribee Shire 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_2015_WINGE_001_00	Planning proposal to: a) <i>Rezone Part of Lot 1, DP 1105017, Bowral from RE1 Public Recreation to R2 Low Density Residential and amend the Lot Size Map to apply 700sqm to the site,</i> b) <i>Reclassify Lot 3 and 4, DP 550860, Bowral from 'Community' to 'Operational' land with no interests changed, and</i> c) <i>Rezone Lot 4, DP 550860, Bowral from RE1 Public Recreation to R2 Low Density Residential and amend the Lot Size Map to apply 700sqm to the site.</i>

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 14/1/2015

Linda Davis
Acting General Manager
Southern Region
Planning Services
Department of Planning and Environment