

## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_GOULB\_005\_00):** to rezone 59-61 Hovell Street Goulburn from RE1 Public Recreation to R1 General Residential Zone under Goulburn Mulwaree LEP 2009.

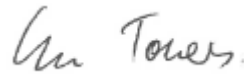
I, the Acting Director, Southern Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Goulburn Mulwaree Local Environmental Plan (LEP) 2009 as described above should proceed subject to the following conditions:

1. Council shall update the planning proposal prior to public consultation as follows:
  - a. Remove proposal to include the Hovell and Hercules Street sites in Schedule 4 "Classification reclassification of public land" of the Goulburn Mulwaree LEP 2009 as the sites have already been reclassified by Council resolution.
  - b. Clarify that an 1000m<sup>2</sup> minimum lot size is proposed for the Hovell Street site in Part 2 Explanation of the provisions section.
  - c. Update the information provided for Direction 6.2 "Reserving Land for Public Purposes" to clarify that Council has reclassified the Hovell Street site from community to operational land.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - WaterNSW
  - Department of Planning, Industry and Environment – Biodiversity and Conservation Team (former Office of Environment and Heritage)

Each public authority/organisation 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.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(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 planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 28<sup>th</sup> day of October 2019.



**Graham Towers**  
**Acting Director, Southern Region**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**