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Department Generated Correspondence (Y)

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Our ref: PP_2011_WINGE_001_00 (PWG000416)
Your ref: 5901/8

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

Dear Mr Gordon,

Re: Planning Proposal to amend the boundary between Lot 100 DP 1089935 and Lot 1 DP 860747, Headlam Road, Moss Vale to locate existing buildings from one property to the other to be used in association with an approved equestrian centre.

I am writing in response to your Council's letter dated 14 December, 2010 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 amend the Wingecarribee Local Environmental Plan 2010 to amend the boundary between two properties on Headlam Road, Moss Vale to locate existing buildings from one property to the other to be used in association with an approved equestrian centre.

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

The Department does not support an amendment to Schedule 1 in this instance. The Gateway has determined however, to progress the matter as an amendment to the Minimum Lot Size Map for the subject site, being Lot 1 DP 860747, St Cloud Park, Headlam Road, Moss Vale.

Council is to ensure that the map clearly shows the site, proposed boundary adjustment and lot size amendment, in colour and to an appropriate scale during exhibition in order to visibly illustrate the intent of the planning proposal.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Directions *1.5 Rural Lands*, *2.1 Environment Protection Zones*, *5.1 Implementation of Regional Strategies*, *5.2 Sydney Drinking Water Catchments*, *6.3 Site Specific Provisions* are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (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 s54(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 Ann Martin of the Regional Office of the Department on 02 4224 9450.

Yours sincerely,



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

3/2/11

Gateway Determination

Planning Proposal (Department Ref: PP_2011_WINGE_001_00): to amend the Wingecarribee Local Environmental Plan 2010 to amend the boundary between two properties on Headlam Road, Moss Vale to locate existing buildings from one property to the other to be used in association with an approved equestrian centre.

I, the Deputy Director General, Plan Making & Urban Renewal 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 2010 to amend the boundary between Lot 100 DP 1089935 (Bong Bong Farm) and Lot 1 DP 860747 (St Cloud Park), Headlam Road, Moss Vale maintaining the same areas and dwelling entitlements to locate existing buildings from one property to the other to be used in association with an approved equestrian centre 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
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 **6 months** from the week following the date of the Gateway determination.

Dated

3rd

day of

February

2011.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning