



Goulburn Mulwaree Council  
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25 March, 2019

Contact: Kate Wooll  
Reference: REZ\_0004\_1819

Director General  
NSW Department of planning  
PO Box 5475  
WOLLONGONG NSW 2520

Attention: George Curtis

Dear Sir/Madam,

**REQUEST FOR GATEWAY DETERMINATION FOR PLANNING PROPOSAL (GMC  
Ref: REZ\_0004\_1819) – INCLUSION OF RU6 TRANSITION ZONE IN CLAUSES 4.1AA  
& 4.2B OF GM LEP 2009**

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Goulburn Mulwaree Council resolved at its meeting of 5 March, 2019 to prepare a Planning Proposal to include the RU6 Transition zone under Goulburn Mulwaree Local Environmental Plan (GM LEP) 2009 within the provisions of Clauses 4.1AA (Community Title Subdivision) and 4.2B (Strata Title Subdivision) in relation to the application of minimum allotment sizes specified in Clause 4.1 within the RU6 Transition zone.

Council had previously considered the inclusion of the RU6 Transition Zone in a Planning Proposal associated with GM LEP 2009 (Amendment 8). The inclusion of the RU6 zone in the provisions of Clauses 4.1AA and 4.2B was exhibited as a part of that Planning Proposal with no submissions received. However, Council later resolved to exclude this zone for consideration in the Draft Urban and Fringe Housing Strategy. The Draft Urban and Fringe Housing Strategy has since been exhibited and provides specific criteria for the location of rural lifestyle lots (which are most likely to be located in the RU6 zone). The current provisions of Clause 4.1AA and 4.2B are more flexible than the RU6 zone objectives would suggest in relation to the potential for residential subdivision. A further report to Council on 5 March, 2019 concluded that:

*“The need to amend GM LEP 2009 is due to the lack of strategic direction provided for the location of Community Title and Strata Title subdivisions within the Ru6 Transition zone which covers extensive areas around towns and villages.”*

The current situation lends itself to the lodgement of [development applications] DAs for residential subdivisions which are contrary to the zone objectives and to other provisions within the GM LEP 2009. The Planning proposal is intended to provide clarity and consistency to the GM LEP 2009 in relation to the consideration of subdivisions in the RU6 Transition zone.

Accordingly, Council is requesting that the NSW Department of Planning and Environment provide a gateway determination for this planning proposal (refer to the attached Planning Proposal document).

As noted in Part 4 of the Council resolution, Council is seeking delegation from the NSW Department of Planning and Environment to make – and determine not to make – the proposed LEP under section 3.36 of the *NSW Environmental Planning and Assessment Act, 1979*. The Council resolution only seeks delegation for the Council itself and does not specify that the delegation will extend to a specific officer (such as the General Manager or Director).

Should you have any questions, please do not hesitate to contact me on 02 4823 4408, or alternatively email [Kate.Wooll@goulburn.nsw.gov.au](mailto:Kate.Wooll@goulburn.nsw.gov.au) .

Yours faithfully

A handwritten signature in blue ink, appearing to read 'K. B. Wooll', with a stylized flourish at the end.

Kate Wooll  
**Business Manager Strategic Planning**