



Mr John Bell
General Manager
Upper Lachlan Shire Council
PO Box 42
GUNNING NSW 2581

Attention: Tina Dodson, Director, Environment and Planning

Dear Mr Bell

Planning proposal PP_2019_UPLAC_001_00 to amend Upper Lachlan Local Environmental Plan 2010

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) received on 10 January 2019 in respect of the planning proposal rezone land located on Kialla Road, Crookwell (Lot 2 DP 1160080) and amend the minimum lot size to permit a dwelling on the site and provide greater protection of environmentally significant areas.

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

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 5.2 Sydney Drinking Water Catchments. Council should ensure this occurs prior to finalisation of the plan.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Direction 2.3 Heritage Conservation and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of 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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Andrew Hartcher, Senior Planning Officer, Southern Region to assist you. Andrew can be contacted on (02) 4247 1823.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Musgrave', is positioned above the date.

31/01/2019

Luke Musgrave
Director Regions, Southern
Planning Services

Encl: Gateway determination
Authorised plan-making reporting template