

Gateway Determination

Planning proposal (Department Ref: PP_2019_QPREG_001_00): *To reinstate a dwelling entitlement, amend Lot Size Maps for land at Jumping Creek, update relevant LEP maps to reflect approved development framework for the Googong Town Centre and Googong Common and introduce a new exempt development provision to allow for the development of fixed free standing information signage.*

I, the Director Southern 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 Queanbeyan Local Environmental Plan (LEP) 2012 to undertake a number of housekeeping amendments should proceed subject to the following conditions:

1. Prior to community and agency consultation the planning proposal is required to be amended to;
 - a. Include an assessment against Section 9.1 Directions, 1.1 Business and Industrial Zones, 3.1 Residential Zones and 4.4 Planning for Bushfire Protection;
 - b. Include the correct reference for Section 9.1 Direction 5.10 Implementation of Regional Plans; and
 - c. Remove any reference to S117 Directions and replace with Section 9.1 Directions.
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 is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016) and must be made publicly available for a minimum of **14 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 NSW Rural Fire Service under section 3.34(2)(d) of the Act. The NSW Rural Fire Service 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. Consultation with the NSW RFS must occur prior to undertaking community consultation in accordance with Ministerial Direction 4.4.

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 7th day of November 2019.



Sarah Lees
Director Southern
Local and Regional Planning

Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces