



Ms Lisa Miscamble
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 277

Attention: Susan Stannard, Senior Strategic Planner

Dear Ms Miscamble

Planning proposal – PP – 2021 - 4816 - to amend Wingecarribee 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) in respect of the planning proposal to amend clause 1.9A of Wingecarribee Local Environmental Plan 2010 to enable the legal enforcement of Purchaser's Agreements (and associated Design Guidelines) for purchasers of land lots within the West Retford Park residential estate.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 5.2 – Sydney Drinking Water Catchment is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 4.4 – Planning for Bushfire Protection. Council should ensure this occurs prior to public exhibition.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority as it is likely to require Governor's approval to finalise.

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 for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight 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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Andrew Hartcher, Senior Planner, to assist you. Mr Hartcher can be contacted on 4247 1823.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Lees', with a stylized, cursive script.

16 August 2021

Sarah Lees
Director, Southern Region
Local and Regional Planning

Encl: Gateway determination