



Ms Ann Prendergast
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Dear Ms Prendergast

Planning proposal PP_2018_WINGE_009_00 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 enable an additional permitted use of the combined site area of 6 Wiseman Road, Bowral (Lot 4 DP 829578) and 8 Wiseman Road, Bowral (Lot 1000 DP 1117715) for seniors housing.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.5 Rural Lands, 2.1 Environmental Protection Zones and 4.3 Flood Prone Lands are minor and justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

It is noted that at this stage, the planning proposal is neither consistent nor inconsistent with Direction 4.4 Planning for Bushfire Protection which requires consultation with the NSW Rural Fire Service (RFS) post Gateway Determination and prior to public exhibition. A condition has therefore been included on the Gateway Determination requiring consultation with the RFS prior to public exhibition.

Council may also still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 5.2 Sydney Drinking Water Catchment. Council should ensure this occurs prior to the plan being made.

I have determined not to condition the Gateway for Council to be the local plan-making authority noting the planning proposal was the subject of a rezoning review and was not initially supported by Council.


The amending local environmental plan (LEP) is to be finalised within twelve 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 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 further enquiries about this matter, I have arranged for Mr Andrew Hartcher to assist you. Mr Hartcher can be contacted on 4247 1823.

Yours sincerely

 23 January 2019
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination
Authorised plan-making reporting template