



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

Attention: Susan Stannard, Senior Planner

Dear Ann

Planning proposal PP_2019_WINGE_007_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 amend the Wingecarribee Local Environmental Plan 2010 to reclassify land at Kirkham Street, Moss Vale to enable its sale.

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, in relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, to the alteration of land for public purposes on the basis the lot is unused by the general public, has no potential future use to serve community needs and incurs unnecessary maintenance burdens for Council. I have agreed that the planning proposal is consistent with all other relevant section 9.1 Directions and that no further approval is required in relation to these Directions.

Council is required to consult with NSW Rural Fire Service prior to exhibition of the planning proposal to be consistent with the requirements of section 9.1 Direction 4.4 Planning for Bushfire Protection.

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 proposed to remove a caveat and the public reserve status of land which requires the Governor's approval.

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 dark ink, appearing to read 'Sarah Lees', with a stylized flourish at the end.

19 February 2020

Sarah Lees
Director, Southern Region
Local and Regional Planning

Encl: Gateway determination