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Mr Tim Overall
Administrator
Queanbeyan Palerang Regional Council
PO Box 348
BUNGENDORE NSW 2621

Attention: Arthean McBride

Dear Mr Overall

**Planning proposal to amend Palerang Local Environmental Plan 2014 –
Majara Street Bungendore (PP_2017_QPREG_001_00)**

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to rezone Lot 3 DP 1195030 Majara Street Bungendore, and to apply a 1000m² minimum lot size and 8.5m height control.

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

In issuing this Gateway determination, I have found that the planning proposal's inconsistencies with the following s117 Directions are justified and/or are of minor significance:

- 1.1 Business and Industrial Zones
- 5.1 Implementation of Regional Strategies.

To ensure consistency with s117 Direction 4.4 Planning for Bushfire Protection, Council is required to consult with the NSW Rural Fire Service (RFS) prior to exhibition of the planning proposal.

No further approval is required in relation to these, or other Directions while the proposal remains in its current form, subject to consultation with the RFS.

Council has identified that it will require an acoustic analysis to identify potential noise impacts from nearby industrial operations and options for mitigation. While this study has not been required as a condition of the Gateway determination, this does not prevent Council from requiring any relevant study it considers necessary to progress the proposal.

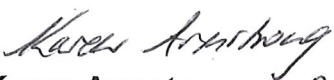
Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 12 months of the date of the Gateway determination. Council's request to draft and finalise the Local Environmental Plan 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 for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Louise Myler of the Department's regional office to assist you. Louise can be contacted on (02) 4224 9463.

Yours sincerely


Karen Armstrong 21/3/17
Director Regions
Southern
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2017_QPREG_001_00): to rezone certain land in Majara Street Bungendore from IN2 Light Industrial to R2 Low Density Residential, and to apply appropriate minimum lot size, and height of buildings controls.

I, the Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the Palerang Local Environmental Plan 2014 as described above should proceed subject to the following conditions:

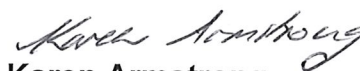
1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of 'A guide to preparing local environmental plans (Planning and Environment, 2016)'.
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - NSW Rural Fire Service
 - NSW Roads and Maritime Services
 - NSW Office of Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that it will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

Consultation is required with the NSW Rural Fire Service prior to undertaking community consultation in order to satisfy the requirements of s117 Direction 4.4 Planning for Bushfire Protection.

3. No public hearing is required to be held into the matter under section 56(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).
4. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.

Dated 21st day of MARCH 2017


Karen Armstrong
Director Regions, Southern
Planning Services
Department of Planning and
Environment
Delegate of the Minister for Planning