



Our Ref: PP_2017_GOULB_004_00 (17/15070)
Your Ref: REZ/0001/1415

Ms Emma-Jayne Leckie
Business Manager Planning & Strategic Outcomes
Goulburn Mulwaree Council
Locked Bag 22
GOULBURN NSW 2580

Attention: Bennett Kennedy

Dear Ms Leckie

**Planning Proposal [PP_2017_GOULB_004_00] to amend Goulburn Mulwaree
Local Environmental Plan 2009**

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the Planning Proposal to rezone land at 37 Ross Street and 23 Brewer Street, Bradfordville (Lots 100 and 101 DP1214244) from IN1 General Industrial Zone to SP2 Infrastructure (Health Services Facility) Zone to facilitate the development of the proposed Goulburn Health Hub.

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

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with Section 117 Direction 1.1 Business and Industrial Zones is justified by the Goulburn Mulwaree Employment Land Strategy and any inconsistency with Section 117 Direction 6.3 Site Specific Provision is of a minor significance. No further approval is required in relation to these Directions. In relation to Section 117 Direction 4.3 Flood Prone Land, Council is required to provide further information to the Department to demonstrate compliance with the Direction prior to the finalisation of the Planning 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.

In relation to the proposal to allow seniors housing at the site as an additional permitted use under Schedule 1 of the Goulburn Mulwaree LEP 2009, I would

encourage Council to consult with Parliamentary Counsel's Office during the drafting of the LEP as to whether seniors housing could be included as a permissible use in the proposed SP2 Infrastructure (Health Services Facility) Zone rather than via Schedule 1.

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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 54(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 George Curtis, Senior Planner, Southern Region to assist you. Mr Curtis can be contacted on telephone 4224 9465.

Yours sincerely


10/11/2017
Jeffrey Horn
Acting Director Regions, Southern
Planning Services

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



Gateway Determination

Planning Proposal (Department Ref: PP_GOULB_2017_004_00): to rezone land at 37 Ross Street and 23 Brewer Street, Bradfordville (Lots 100 and 101 DP1214244) from IN1 General Industrial Zone to SP2 Infrastructure (Health Services Facility) Zone and to permit seniors housing to facilitate the development of a proposed Goulburn Health Hub.

I, Jeffrey Horn the Acting 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* (the Act) that an amendment to the Goulburn Mulwaree Local Environmental Plan (LEP) 2009 as described above should proceed subject to the following conditions:

1. A flood investigation is required to be undertaken for the site. The flood investigation is to be exhibited with the planning proposal. Council is required to provide further information to the Department to demonstrate compliance with Section 117 Direction 4.3 Flood Prone Land prior to the finalisation of the Planning Proposal.
2. A "Stage 1 Preliminary Assessment" is required to be prepared in accordance with the "Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land 1998 Department of Urban Affairs and Planning and Environment Protection Authority". A report on the outcomes of the preliminary assessment is to be exhibited with the planning proposal.
3. 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 a minimum of **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* (Department of Planning and Environment 2016).

4. Consultation is required with the following public authorities:

- Office of Environment and Heritage
- WaterNSW
- Environment Protection Authority
- NSW Heritage Office
- NSW Health/Southern NSW Local Health District

5. A public hearing is not required to be held into the matter by any person or body 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).

6. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated **TENTH** day of **NOVEMBER** 2017.


10/11/2017
Jeffrey Horn
Acting Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

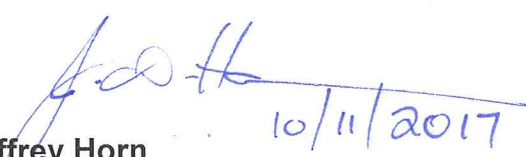
WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Goulburn Mulwaree Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_GOULB_004_00	To rezone land at 37 Ross Street and 23 Brewer Street, Bradfordville (Lots 100 and 101 DP1214244) from IN1 General Industrial Zone to SP2 Infrastructure (Health Services Facility) Zone and to permit seniors housing to facilitate the development of a proposed Goulburn Health Hub.

In exercising the Minister's functions under Section 59 of the EP&A Act, the Council must comply with the Department's "A guide to preparing local environmental plans 2016" and "A guide to preparing planning proposals 2016".

Dated 10 NOVEMBER 2017


Jeffrey Horn
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

Delegate of the Secretary
of the Department of Planning and Environment

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2017_GOULB_004_00
Date Sent to DP&E under s56	
Date considered at LEP Review Panel (if applicable)	N/A
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Have changes been made to the draft LEP after obtaining final PC opinion?	YES NO	
Date LEP made by GM (or other) under delegation		
Date sent to DPE requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: