



Department of Planning, Housing and Infrastructure

Our ref: IRF24/1954

Mr Aaron Johansson
Chief Executive Officer
Goulburn Mulwaree Council
184 Bourke Street
Goulburn NSW 2580

Email: council@goulburn.nsw.gov.au

Attention: Kate Wooll

Dear Mr Johansson

Planning proposal (PP-2021-7072) to amend Goulburn Mulwaree Local Environmental Plan 2009

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone 274 Mountain Ash Road, Goulburn to R5 Large Lot Residential Zone and C2 Environmental Conservation Zone.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistency of the planning proposal with Directions 5.1 Integrating Land Use and Transport, 6.1 Residential Zones and 9.1 Rural Zones are justified because the site is identified for rural residential development in the Goulburn Marulan Urban and Fringe Housing Strategy endorsed by the Department on 20 November 2020.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act, namely directions 1.1 Implementation of Regional Plans, 3.1 Conservation Zones, 3.2 Heritage Conservation, 3.3 Sydney Drinking Water Catchments, 4.1 Flooding, 4.3 Planning for Bushfire Protection and 9.2 Rural Zones. Council should ensure this occurs prior to the LEP being made. Consultation with relevant state agencies listed in the Gateway determination will assist Council in confirming if the proposal is consistent with these Directions or that any inconsistency has been justified.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal. The proposed local environmental plan (LEP) is to be finalised on or before 10 September 2025.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The relevant Department of Planning, Housing and Infrastructure team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Mr Graham Judge to assist you. Mr Judge can be contacted on 6229 7906.

Yours sincerely



10/9/2024

Chantelle Chow
Acting Director Southern, Western and Macarthur Region
Local Planning and Council Support

Encl: Gateway determination