

Mr Warwick Bennett
General Manager
Goulburn Mulwaree Council

By Email: council@goulburn.nsw.gov.au

Attention: Kate Wooll, Business Manager Strategic Planning

Dear Mr Bennett

Planning proposal PP-2021-7126 to amend Goulburn Mulwaree Local Environmental Plan 2021

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 189 Brayton Road, Marulan to SP2 Infrastructure (Public Utility Undertaking) to facilitate the expansion of the Marulan water treatment facility.

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 applicable directions of the Minister under section 9.1 of the EP&A Act, namely 3.1 Residential Zones and 4.3 Flood Prone Land, is justified in accordance with the terms of the Directions.

No further approval is required in relation to the Directions.

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 EP&A Act namely 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

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 within 12 months of the Gateway determination date or before 10 January 2023. Council should aim to commence the exhibition of the planning proposal as soon as possible.

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

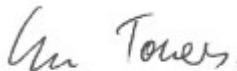
instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The relevant Department of Planning and Environment team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

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, Industry and Environment, 2021) 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 George Curtis, Southern Region to assist you. Mr Curtis can be contacted on 42471824.

Yours sincerely



10/1/2022

Graham Towers
Acting Director, Southern Region
Local and Regional Planning

Encl: Gateway determination
Plan making reporting template