



Mr Peter Tegart
CEO
Queanbeyan-Palerang Regional Council

council@qprc.nsw.gov.au

Dear Peter

Planning proposal PP_2020_QPREG_001_00 to amend Palerang Local Environmental Plan 2014

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 rezone land at Bywong and Wamboin from E4 Environmental Living to R5 Large Lot Residential zone.

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.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 4.4 Bushfire Prone Land. Council should ensure this occurs prior to public exhibition.

I note that Council has requested not to be authorised as the local plan-making authority due to the long standing and sensitive nature of the matter. I have considered Council's request and the nature of the planning proposal and, given the matter is of local significance, have conditioned the Gateway for Council to be authorised as the local plan-making authority. However, should Council not be in a position to use its plan making delegations on finalisation of the planning proposal, Council can request that the Department finalise the plan. Planning Circular PS 18-013, available on the Department's website <https://www.planning.nsw.gov.au/-/media/Files/DPE/Circulars/planning-circular-18-013-delegation-of-plan-making-decisions-2018-12-14.pdf?la=en>, provides some guidance relating to delegation of plan making decisions that might be of assistance.

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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry 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 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 Will Mayes to assist you. Mr Will Mayes can be contacted on 8275 1050.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Lees', with a stylized flourish at the end.

22 December 2020

Sarah Lees
Director, Southern Region
Local and Regional Planning

Encl: Gateway determination
Authorised plan-making reporting template