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Our ref: PP_2013_QUEAN_001_00 (13/13743)
Your ref: SF130714
C1382849

Mr Gary Chapman
General Manager
Queanbeyan City Council
PO Box 90
QUEANBEYAN NSW 2620

Dear Mr Chapman,

Planning proposal to amend Queanbeyan Local Environmental Plan (South Tralee) 2012

I am writing in response to your Council's letter dated 14 August 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone land at South Jerrabomberra for residential and other appropriate uses and rename the Local Environmental Plan (LEP) to Queanbeyan LEP (South Jerrabomberra) 2013.

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

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environment Protection Zones, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 3.5 Development Near Licensed Aerodromes and 5.1 Implementation of Regional Strategies are justified by the endorsed Queanbeyan Residential and Economic Strategy 2031 or are of minor significance. No further approval is required in relation to these Directions.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation, however has asked not to use its delegation for the making of this plan. 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 because the proposal is implementing the endorsed Queanbeyan Residential and Economic Strategy 2031. Council should contact the regional office of the department should it require assistance in relation to the exercise of its delegation.

The amending LEP is to be finalised within 24 months of the week following the date of the Gateway determination. 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 for administrative purposes.

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 EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Martin Brown of the regional office of the department on 02 6229 7900.

Yours sincerely,


Neil McGaffin 18.9.13
Acting Deputy Director General
Planning Operations & Regional Delivery

Encl:
Gateway determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated plan making reporting template

Gateway Determination

Planning proposal (Department Ref: PP_2013_QUEAN_001_00): to rezone land at South Jerrabomberra for residential and other appropriate uses.

I, the Acting Deputy Director General, Planning Operations and Regional Delivery at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Queanbeyan Local Environmental Plan (LEP) (South Tralee) 2012 to rezone land at South Jerrabomberra for residential and other appropriate uses and rename the LEP to Queanbeyan LEP (South Jerrabomberra) 2013 should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to include all relevant information consistent with Section 2.6 Part 6 of the *A Guide to Preparing Planning Proposals*, including the proposed timeframe for the completion of additional information as identified below.
2. Prior to undertaking public exhibition, Council is to update the planning proposal to include existing and proposed land zoning and other applicable maps, which are at an appropriate scale and clearly identify the subject land.
3. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
 - biodiversity, flora and fauna
 - bushfire
 - air quality, noise, visual impacts
 - heritage
 - urban capability
 - stormwater management
 - contamination
 - traffic
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A 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 LEPs* (Department of Planning & Infrastructure 2013).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Office of Environment and Heritage
 - Transport for NSW
 - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
 - ACT Government

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
7. The timeframe for completing the LEP is to be **24 months** from the week following the date of the Gateway determination.

Dated *18th* day of *September* 2013.



Neil McGaffin
Acting Deputy Director General
Planning Operations & Regional Delivery
Department of Planning & Infrastructure

Delegate of the Minister for Planning & Infrastructure



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Queanbeyan City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_QUEAN_001_00	Planning proposal to rezone land at South Jerrabomberra for residential and other appropriate uses and rename the Local Environmental Plan (LEP) to Queanbeyan LEP (South Jerrabomberra) 2013.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Dated 18 September 2013

Neil McGaffin
Acting Deputy Director General
Planning Operations & Regional Delivery
Department of Planning & Infrastructure

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department 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 department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_QUEAN_001_00
Date Sent to Department under s56	14/08/2013
Date considered at LEP Review Panel	05/09/2013
Gateway determination date	18/09/2013

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		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: