

Gateway Determination

Planning proposal (Department Ref: PP-2022-1345): to amend the Wingecarribee Local Environmental Plan 2010 to add land at 26 Elizabeth Street, Moss Vale as a new heritage item and add land at 2, 4 and 6 Myrtle Street, Bowral, within the Bowral Conservation Area.

I Daniel Thompson, the Director, Southern Region, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wingecarribee Local Environmental Plan 2010 as described above should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal shall be updated to:
 - (a) remove the section addressing the previous Minister's Planning Principles on pages 13 and 14 (Section B, Part 5);
 - (b) include a copy of WaterNSW's submission dated 10 May 2022 and address any issues raised within; and
 - (c) include a reference to a savings provision to apply to any development application lodged but not yet determined prior to the making of the LEP.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 days; and
 - (b) the planning proposal 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
 - the NSW Rural Fire Service.

Consultation is also required with the following organisation:

- Heritage NSW.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).

5. The LEP should be completed on or before 23 February 2023.

Dated 23rd day of May 2022.

A handwritten signature in blue ink, appearing to read 'D Thompson', is centered on the page.

Daniel Thompson
Director, Southern Region
Local and Regional Planning
Department of Planning and Environment
Delegate of the Minister for Planning