



Department of Planning, Housing and Infrastructure

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

Our ref: IRF24/1027

Email: council@goulburn.nsw.gov.au

Attention: Kate Wooll, Business Manager Strategic Planning

Dear Mr Johansson

Planning proposal (PP-2023-1505) 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 44 Middle Arm Road Goulburn to R2 Low Density Residential Zone and RE1 Public Recreation Zone to enable the subdivision of the site for residential development.

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 Act: 4.1 Flooding, 9.1 Rural Zones and 9.2 Rural Land are justified in accordance with the terms of the directions.

I have also approved, as delegate of the Secretary, the proposed creation of an RE1 Public Recreation Zoning on part of the site under Direction 5.2 Reserving Land for Public Purposes.

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 Direction 4.3 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 on or before 23 July 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

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 Gary Hinder to assist you. Mr Hinder can be contacted on 9873 8547.

Yours sincerely



23//7/2024

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

Encl: Gateway determination