

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-2084):** to amend the Wingecarribee Local Environmental Plan 2010 to include land at 35 Elizabeth Street and 4 Bong Bong Way, Burradoo Schedule 1 of (Additional Permitted Uses) to enable consideration of a boundary adjustment by way of a subdivision.

I, Daniel Thompson the Director, Southern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, 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 to include the subject lots in Schedule 1 should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 11 November 2024.

### Gateway Conditions

1. 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 working 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).

No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the EP&A Act due to the minor nature of the proposal.

2. 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).

Dated 20<sup>th</sup> day of November 2023.



**Daniel Thompson**  
**Director Southern Region**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and  
Public Spaces**