



Department of Planning, Housing and Infrastructure

Ms Lisa Miscamble
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Our ref: IRF24/1554 (PP-2024-1411)

Attention: Susan Stannard, Coordinator Strategic Policy

Dear Ms Miscamble

Planning proposal (PP-2024-1411) to amend Wingecarribee Local Environmental Plan 2010

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) seeking to amend clause 4.2F of the Wingecarribee Local Environmental Plan 2010 to exclude land in the Berrima Heritage Conservation Area from certain dual occupancy subdivision provisions.

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 is justified in accordance with the terms of the Direction (except those outlined below). No further approval is required in relation to the Directions.

However, Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Directions 3.3. Sydney Drinking Water Catchments and 4.3 Planning for Bushfire Protection.

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 22 April 2025. As this is a minor amendment, Council should aim to commence exhibition of the planning proposal as soon as practicable.

Should Council seek to draft the LEP, the request is to be made 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 questions, you are welcome to contact Mr Andrew Hartcher, Senior Planning Officer, Southern, Western and Macarthur Region, at the Department on 02 4247 1823.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'Chantelle Chow', with a long horizontal flourish extending to the right.

22/7/2024

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

Encl.: Gateway Determination