

Mr Aaron Johansson  
General Manager  
Goulburn Mulwaree Council

Our ref: PP-2021-7390 (GA-2023-144)  
(IRF23/2780)

By Email: [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)

Attention: David Kiernan - Senior Strategic  
Planner

Dear Mr Johansson

**Planning proposal no. PP-2021-7390 - Alteration of Gateway Determination  
(GA-2023-144)**

I refer to planning proposal PP-2021-7390 which seeks to rezone and amend the minimum lot size at 137 Brisbane Grove Road, Goulburn to facilitate 27 dwellings.

Council's request for a six month extension of time to finalise the planning proposal is noted. I appreciate the planning proposal has been delayed due to the need to prepare a flood impact risk assessment (FIRA) to address flooding and emergency evacuation concerns that were raised by DPE Biodiversity and Conservation Division (BCD) and the State Emergency Service (SES) during Council's pre-exhibition agency consultation on the planning proposal.

However, I am advised the FIRA is yet to be finalised, with the potential for the updated document to identify significant flood concerns that will take time to work through to allow a full understanding of the site's suitability for the proposed development. Furthermore, I note that public consultation on the proposal has not yet commenced. The gateway determination states the planning proposal is due to be finalised by 29 November 2023, which will not occur.

The flood affectation creates uncertainty in outcome, with additional work and engagement required to examine the site suitability, which is best undertaken outside of the time pressures associated with an active planning proposal. Consequently, I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 29 November 2022 for the planning proposal to not proceed. The Alteration of Gateway determination is enclosed.

I consider it is necessary to finalise the FIRA and for it to be considered by Council and relevant agencies outside of the planning proposal process before Council decides whether it continues to support the planning proposal through seeking a new gateway determination.

If you have any questions in relation to this matter, I have arranged for Mr George Curtis, Senior Planner to assist you. Mr Curtis can be contacted on 42471824.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Thompson', is positioned above the date.

29/10/2023

**Daniel Thompson**  
**Director, Southern**  
**Local and Regional Planning**

Encl: Alteration of Gateway Determination

## Alteration of Gateway Determination (GA-2023-144)

*Planning proposal (Department Ref: no. PP-2021-7390)*

I, Daniel Thompson, Director, Southern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 29 November 2022 for the proposed amendment to the Goulburn Mulwaree Local Environmental Plan 2009 as follows:

1. Change the determination of the planning proposal:

**from** "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 Goulburn Mulwaree Local Environmental Plan 2009 as described above should proceed subject to the following conditions:"

**to** "I, Daniel Thompson the Director, Southern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Goulburn Mulwaree Local Environmental Plan 2009 as described above should not proceed".

2. Delete: Conditions 1-5

Dated 29<sup>th</sup> day of October 2023.



**Daniel Thompson**  
**Director, Southern Region**  
**Local and Regional Planning**  
**Department of Planning and**  
**Environment**

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