



Department of Planning, Housing and Infrastructure

Mr Aaron Johansson
General Manager
Goulburn Mulwaree Council

Our ref: IRF24/186

Email: council@goulburn.nsw.gov.au

Dear Mr Johansson

Planning proposal PP-2023-1663 to amend Goulburn Mulwaree Local Environmental Plan 2009

I am writing in response to the planning proposal Council 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 which seeks to rezone the site at 233-234 Wheeo Road, Goulburn to facilitate expansion of the existing Goulburn drinking water treatment facility.

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 namely Direction 3.1 Conservation Zones is justified in accordance with the terms of the Direction.

In relation to Direction 5.2 Reserving Land for Public Purposes, I have agreed, as delegate of the Secretary, to the proposed reduction in the existing (RE1) zoning of land for public purposes on the basis the site is classified as “operational land” and the site’s current and proposed use for public infrastructure.

No further approval is required in relation to the Directions.

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 15 November 2024.

Parliamentary Counsel’s Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. A copy of the request should be forwarded to the Department’s Southern Region office. The request should include the drafting instruction template, planning proposal and gateway determination.

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 Mr George Curtis, Senior Planner, Southern Region to assist you. Mr Curtis can be contacted on 42471824.

Yours sincerely



15/02/2024

Daniel Thompson
Director, Southern Region
Local and Regional Planning

Encl: Gateway determination