

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1983):** to rezone part 129 Marys Mount Road and Part 110-118 Middle Arm Road, Goulburn to R2 Low Density Residential Zone and C2 Environmental Conservation Zone.

I, the Acting Director Southern, Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, 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 to rezone part 129 Marys Mount Road and Part 110-118 Middle Arm Road to R2 Low Density Residential Zone and C2 Environmental Conservation Zone should proceed subject to the following conditions:

### Gateway Conditions

1. The planning proposal is to be updated prior to community consultation to include an assessment of the consistency of the proposal with the draft South East and Tablelands Regional Plan 2041.
2. Prior to exhibition, consultation on the planning proposal is required with Rural Fire Service (RFS) as required by Section 9.1 Direction 4.3 Planning for bushfire protection.
3. 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 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).
4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - Department of Climate Change, Energy, the Environment and Water - Biodiversity and Science
  - State Emergency Service
  - NSW Water
  - NSW Heritage Office

Consultation is also required with the following organisations;

- Pejar Local Aboriginal Land Council

Each public authority or organisation is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

5. 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).
6. 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.
7. The LEP should be completed on or before 24 April 2025.

Dated 24 July 2024.



**Chantelle Chow**  
**A/Director Southern, Western and**  
**Macarthur Region**  
**Local Planning and Council Support**  
**Department of Planning, Housing and**  
**Infrastructure**

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