



PP\_2018\_NARRB\_001\_00 (18/706)

Mr Stewart Todd  
General Manager  
Narrabri Shire Council  
PO Box 261  
NARRABRI NSW 2340

Attention: Hamish McTaggart

Dear Mr Stewart

**Planning Proposal PP\_2018\_NARRB\_001\_00 to amend Narrabri Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Narrabri LEP 2012 to rezone part of Lot 383, DP 754944, 139 Kaputar Road, Narrabri from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistencies with S117 Directions 1.2 Rural Zones and 1.5 Rural Zones are of minor significance. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of S117 Direction 3.5 Development Near Licensed Aerodromes. Council should ensure this occurs prior to the plan being made.


Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Gina Davis to assist you. Ms Davis can be contacted on (02) 6701 9687.

Yours sincerely



6-2-2018

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**

Encl: Gateway Determination  
Written Authorisation to Exercise Delegation  
Delegated Plan Making \Reporting Template





## Gateway Determination

*Planning Proposal (Department Ref: PP\_2018\_NARRB\_001\_00): to amend Narrabri LEP 2012 to rezone part of Lot 383, DP 754944, 139 Kaputar Road, Narrabri from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size.*

I, the Director Regions, Northern, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Narrabri Local Environmental Plan (LEP) 2012 to rezone part of Lot 383, DP 754944, 139 Kaputar Road, Narrabri from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size, should proceed subject to the following conditions:

1. Prior to exhibition the planning proposal is to be amended to:
  - (a) include maps consistent with the requirements of the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' Version: 2.0 August 2017 that clearly show both the existing and proposed zoning and minimum lot size of the subject lot;
  - (b) update Part 5 'Community Consultation' to provide greater detail on how and where community consultation will take place; and
  - (c) update Part 6 'Project Timeline' to correctly reflect the Gateway determination date.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Environment 2016)* and must be made publicly available for a minimum of **14 days**; and
  - (b) the relevant planning 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 Section 5.5.2 of *A guide to preparing local environmental plans (Department of Planning and Environment 2016)*.
3. Consultation is required with the Department of the Commonwealth responsible for aerodromes under section 56(2)(d) of the Act. This Department is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.



## Planning & Environment

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).
5. The timeframe for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 6 day of FEBRUARY 2018.

**Jeremy Gray**  
Director Regions, Northern  
Planning Services  
Department of Planning and  
Environment

**Delegate of the Minister for Planning**



**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Narrabri Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

<b>Number</b>	<b>Name</b>
PP_2018_NARRB_001_00	Planning proposal to amend Narrabri LEP 2012 to rezone part of Lot 383 DP 754944, 139 Kaputar Road, Narrabri from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size.

In exercising the Minister's functions under Section 59 of the EP&A Act, the Council must comply with the Department's "*A guide to preparing local environmental plans 2016*" and "*A guide to preparing planning proposals 2016*".

Dated *6 FEBRUARY* 2018

**Jeremy Gray**  
Director Regions, Northern  
Planning Services  
Department of Planning and Environment

Delegate of the Secretary  
of the Department of Planning and Environment