



Planning & Environment

Contact: Graham Judge
Phone: (02) 6229 7906
Fax: (02) 6229 7900
Email: graham.judge@planning.nsw.gov.au

Gary Lavelle
General Manager
Temora Shire Council
PO Box 262
Temora NSW 2666

Our ref: PP_2015_Temora_001_00 (15/11466)

Dear Mr Lavelle

Planning proposal to amend Temora Local Environmental Plan 2010

I am writing in response to your Council's letter received on the 24 July 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone and reclassify land at Apollo Place Temora.

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 the planning proposal's inconsistency with S117 Direction 6.2 Reserving Land for Public Purposes is of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the proposed reduction of land for public purposes on the basis of Council's advice that there is adequate provision of public local open space within the area. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

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 *Environmental Planning and Assessment Act 1979* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Graham Judge of the Department's Southern Region to assist you on telephone (02) 6229 7906.

Yours sincerely

Brett Whitworth
General Manager
Southern Region
Planning Services

2 August 2015

Gateway Determination

Planning proposal (Department Ref: PP_2015_Temora_001_00): to rezone lots 20, 21 and 22 DP 247721 to R1 General Residential Zone with a 750 m² minimum lot size and to reclassify Lots 15, 16 and 17 DP 247721 to Operational Land at Apollo Place Temora.

I, the General Manager, Southern Region 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 Temora Local Environmental Plan (LEP) 2010 to rezone and reclassify land at Apollo Place Temora should proceed subject to the following conditions:

1. The Planning Proposal is to be revised prior to community consultation to include a map showing the proposed zone and minimum lot size for Lots 20, 21 and 22 DP 247721 Apollo Place Temora.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal is classified must be made publicly available for a minimum of **28 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 LEPs (Department of Planning and Environment 2013).
3. Consultation is required with the **NSW Department of Family and Community Services** under section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*. The Department of Family and Community Services 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.
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 *Environmental Planning and Assessment Act 1979*. 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 **12 months** from the week following the date of the Gateway determination.

Dated

2nd

day of

August

2015



Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning