



Mr Alan Cairney
General Manager
Oberon Council
PO Box 84
Oberon NSW 2787

15/01583

Attention: Mr Gary Wallace, Planning and Development Director

Dear Mr Cairney

Planning Proposal to amend Oberon Local Environmental Plan 2013 (Amendment 3) (PP_2015_OBERO_001_00) Lot 4 DP 264133 No. 280 Burroughs Crossing Road Oberon.

I am writing in response to your Council's letter dated 8 January 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal to amend the Oberon Local Environmental Plan 2013 (LEP) to allow development for a function centre as an 'Additional Permitted Use' on Lot 4 DP 264133 No. 280 Burroughs Crossing Road, Oberon.

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 (**Attachment 1**).

The Minister delegated plan making powers to Councils 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 (**Attachment 2**).

I have also agreed the planning proposal's inconsistencies with Section 117 Directions 1.2 Rural Zones and 1.5 Rural Lands are adequately justified as minor inconsistencies in this case and no further approval is required in relation to these Directions.

The inconsistency with Section 117 Direction 4.4 Planning for Bushfire Protection can be addressed with Council's Section 59 submission, after consultation with NSW Rural Fire Service.

The inconsistency with Section 117 Direction 5.2 Sydney Catchment Authority must be addressed prior to undertaking public exhibition by consulting with the Sydney Catchment Authority.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office (parliamentary.council@pco.nsw.gov.au) 10 weeks prior to the projected publication date.

A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.

The amended LEP maps and GIS data is to be uploaded to the Departments FTP site at ftp://lepup:lep_upload@203.3.194.247/ and the map information emailed to: pcgis@planning.nsw.gov.au and a copy to westernregion@planning.nsw.gov.au.

State Government is committed to reducing the time taken to complete LEP's 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 EP&A Act if the time frames outlined in the determination are not met.

In accordance with "A guide for the preparation of local environmental plans" attachment 5 – Delegated plan making reporting template (**Attachment 3**) is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 59 submission and forwarded to the westernregion@planning.nsw.gov.au when requesting the planning proposal to be finalised.

Should you have any further enquiries about this matter, I have arranged for Jenna McNabb from the Western Region office to assist you. Ms McNabb can be contacted on 02 6841 2180.

Yours sincerely

 23/1/15
Wayne Garnsey
Acting General Manager, Western Region
Planning Services

Enclosed:

Attachment 1 – Gateway Determination
Attachment 2 – Written Authorisation to Execute Delegation
Attachment 3 – Delegated Plan Making Reporting Template